

Waiver of filing when statement deemed impractical.

United States as a creditor.

Authority to accept or reject plan.

Proviso. Presumption of approval.

shares of stock have been purchased or transferred by those accepting the plan after the commencement or in contemplation of the proceeding, and the circumstances of such purchase or transfer: *Provided, however,* That if the judge is satisfied that by reason of the number of securities outstanding and the extent of the public dealing therein the preparation of such a statement would be impractical, he may direct that it be not filed. If the United States of America is a creditor or stockholder, the interests or claims thereof shall be deemed to be affected by the plan, and the Secretary of the Treasury is hereby authorized to accept or reject a plan in respect of the interests or claims of the United States. If, in any reorganization proceeding under this section, the United States is a creditor on claims for taxes or customs duties (whether or not the United States has any other interest in, or claim against, the debtor, as creditor or stockholder), no plan which does not provide for the payment thereof shall be confirmed by the judge except upon the acceptance of a lesser amount by the Secretary of the Treasury certified to the court: *Provided,* That if the Secretary of the Treasury shall fail to accept or reject a plan for more than ninety days after receipt of written notice so to do from the court to which the plan has been proposed, accompanied by a certified copy of the plan, his consent shall be conclusively presumed.

Approved, August 29, 1935.

[CHAPTER 810.]

AN ACT

August 29, 1935.

[H. R. 7974.]

[Public, No. 397.]

To withdraw and restore to their previous status under the control of the Territory of Hawaii certain Hawaiian homes lands now in use as an airplane landing field.

Hawaiian Homes Commission Act, 1920. Vol. 42, p. 109; U. S. C., p. 2157.

Restoration of certain lands to previous status.

On the Island of Molokai.

Description.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of section 203 of title 2 of the Act entitled "Hawaiian Homes Commission Act, 1920", approved July 9, 1921 (42 Stat. 108), as designates the land hereinafter described as "available lands" within the meaning of that Act, is hereby repealed and the land restored to its previous status under the control of the Territory of Hawaii.

On the Island of Molokai: Those portions of Hoolehua, apana 2, and Palaau, apana 2, comprising the Molokai airplane landing field as set aside for public purposes by Executive Order Numbered 307 of the Governor of the Territory of Hawaii, dated December 15, 1927, consisting of two hundred four and nine-tenths acres, more or less, and particularly described as follows:

Beginning at a point on the southeast corner of the said land, from which the azimuth (measured clockwise from true south) and distance to United States Coast and Geodetic Survey Triangulation Station Middle Hill (Kaulapuu) is two hundred and seventy-two degrees twenty-three minutes thirty-nine seconds, twelve thousand seven hundred twenty and nine-tenths feet, thence from said point of beginning by metes and bounds; eighty-five degrees ten minutes thirty seconds, three thousand four hundred and twenty-seven feet; one hundred and eighty degrees fifty-six minutes thirty seconds, two thousand six hundred thirty and two-tenths feet; two hundred and seventy-nine degrees fifty-five minutes thirty seconds, four thousand nine hundred seven and three-tenths feet; three hundred and forty-six degrees twenty minutes, three hundred forty-two and three-tenths feet near west edge of Kakainapahao Gulch; three degrees twenty-six minutes, four hundred twenty-seven and one-tenth feet; eighty-three degrees twenty-four minutes, one thousand

four hundred sixty-eight and two-tenths feet; five degrees fifty-eight minutes, five hundred seventy-one and three-tenths feet to the point of beginning.

SEC. 2. This Act shall take effect upon its approval.

Approved, August 29, 1935.

Effective date.

[CHAPTER 811.]

AN ACT

To authorize the transfer of a certain military reservation to the Department of the Interior.

August 29, 1935.
[H. R. 8444.]
[Public, No. 398.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to transfer to the Department of the Interior the mansion site and such portions of the grounds of Belvoir, part of the estate of Lord Fairfax, located within the Belvoir Military Reservation, Virginia, as may be necessary for the restoration and operation of the historic home and grounds for the benefit and inspiration of the people: *Provided,* That upon cessation of such use the premises so transferred shall revert to the jurisdiction of the War Department: *Provided, however,* That nothing in this Act shall be construed as authorizing the transfer of any part of the said reservation which, in the judgment of the Secretary of War, is needed for the proper development, control, or use of the reservation for military purposes: *Provided further,* That upon cessation of such use the premises so transferred shall revert to the jurisdiction of the War Department: *And provided further,* That the transfer authorized by this Act shall not require discontinuance of the operation of the Fort Belvoir Fish Cultural Station, however, its removal and establishment elsewhere on the Belvoir Military Reservation, Virginia, as may be agreed upon by the Secretary of Commerce and the Secretary of War, is hereby authorized.

Belvoir Military Reservation, Va.
Transfer of part of Lord Fairfax estate authorized.

Proviso.

Reverter provision.

Restriction.

Reverter provision.

Fish cultural station.

Approved, August 29, 1935.

[CHAPTER 812.]

AN ACT

To establish a retirement system for employees of carriers subject to the Interstate Commerce Act, and for other purposes.

August 29, 1935.
[H. R. 8651.]
[Public, No. 399.]

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

Railroad Retirement Act of 1935.
Vol. 48, p. 1283.

DEFINITIONS

SECTION 1. For the purposes of this Act—

(a) The term "carrier" means any express company, sleeping-car company, or carrier by railroad, subject to the Interstate Commerce Act, and any company which may be directly or indirectly owned or controlled thereby or under common control therewith, and which operates any equipment or facilities or performs any service (other than trucking service) in connection with the transportation of passengers or property by railroad, or the receipt, delivery, elevation, transfer in transit, refrigeration or icing, storage, or handling of property transported by railroad, and any receiver, trustee, or other individual or body, judicial or otherwise, when in the possession of and operating the business of any such "carrier": *Provided, however,* That the term "carrier" shall not include any street, interurban, or suburban electric railway, unless such railway is operating as a part of a general steam-railroad system of transportation, but

Definitions.

"Carrier."

Proviso.
Street, interurban, or suburban electric railway.