

[CHAPTER 140]

AN ACT

May 22, 1939

[S. 198]

[Public, No. 81]

To provide that records certified by the Court of Claims to the Supreme Court, in response to writs of certiorari, may include material portions of the evidence, and for other purposes.

Judicial Code, amendments.
43 Stat. 939.
28 U. S. C. § 288(b).

Cases in Court of Claims.

Review, etc., of errors assigned, by Supreme Court by certiorari upon petition of either party.

Inclusion of parts of record material to errors assigned.

Rules governing preparation of record.

Jurisdiction of Supreme Court.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3, subsection b, of the Act of February 13, 1925 (43 Stat. 936, 939, c. 229; U. S. Code, title 28, sec. 288 b), be amended so as to read as follows:

“(b) In any case in the Court of Claims, including those begun under section 180 of the Judicial Code, it shall be competent for the Supreme Court, upon the petition of either party, whether Government or claimant, to require, by certiorari, that the cause be certified to it for review and determination of all errors assigned, with the same power and authority, and with like effect, as if the cause had been brought there by appeal. In such event, the Court of Claims shall include in the papers certified by it the findings of fact, the conclusions of law, and the judgment or decree, as well as such other parts of the record as are material to the errors assigned, to be settled by the Court.

“The Court of Claims shall promulgate rules to govern the preparation of such record in accordance with the provisions of this section.

“In such cases the Supreme Court shall have authority to review, in addition to other questions of law, errors assigned to the effect that there is a lack of substantial evidence to sustain a finding of fact; that an ultimate finding or findings are not sustained by the findings of evidentiary or primary facts; or that there is a failure to make any finding of fact on a material issue.”

Approved, May 22, 1939.

[CHAPTER 141]

AN ACT

May 22, 1939

[S. 1281]

[Public, No. 82]

To prohibit reproductions of official badges, identification cards, and other insignia.

Official insignia of the United States.

47 Stat. 342.
18 U. S. C. § 76a.

Unauthorized manufacture, sale, or possession, prohibited.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act entitled “An Act to prohibit the misuse of official insignia”, approved on June 29, 1932 (47 Stat. 342; U. S. C., title 18, sec. 76a), be amended to read as follows:

“That hereafter the manufacture, sale, or possession of any badge, identification card, or other insignia, of the design prescribed by the head of any department or independent office of the United States for use by any officer or subordinate thereof, or of any colorable imitation thereof, or the photographing, printing, or in any other manner making or executing any engraving, photograph, print, or impression in the likeness of any such badge, identification card, or other insignia, or of any colorable imitation thereof, is prohibited, except when and as authorized under such regulations as may be prescribed by the head of the department or independent office of which such insignia indicates the wearer is an officer or subordinate.”

Approved, May 22, 1939.