

tions at such prices (not less than estimated total cost of furnishing same) as he may determine, the money received from such sales to be deposited in the Treasury to the credit of the applicable appropriation current at the time the materials are furnished or payment therefor is received.

SEC. 709. The Secretary of Agriculture may delegate to such officers as he shall designate the authority to employ personnel in the departmental service wherever located.

Delegation of authority.

SEC. 710. The Secretary of Agriculture may delegate to such officers as he shall designate the function of authorizing payment of expenses of the transfer of household goods of employees on change of official stations.

Measure and character of cooperation.

SEC. 711. Unless otherwise provided herein or by other statute, the measure and character of cooperation authorized herein on the part of the Federal Government and on the part of the cooperator shall be such as may be prescribed by the Secretary, unless otherwise provided for in the applicable appropriation.

SEC. 712. This Act may be cited as the "Department of Agriculture Organic Act of 1944".

Short title.

Approved September 21, 1944.

[CHAPTER 413]

AN ACT

To amend the Act entitled "An Act to amend the Act creating the circuit court of appeals in regard to fees and costs, and for other purposes", approved February 19, 1897 (29 Stat. 536; 28 U. S. C. 543).

September 27, 1944
[H. R. 1569]
[Public Law 426]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to amend the Act creating the circuit court of appeals in regard to fees and costs, and for other purposes", approved February 19, 1897 (29 Stat. 536; 28 U. S. C. 543), is amended to read as follows:

Circuit courts of appeals.

"That the second section of an Act to establish circuit courts of appeals, passed March third, eighteen hundred and ninety-one, be amended so that the clause therein which now reads, 'The costs and fees in the Supreme Court now provided for by law shall be costs and fees in the circuit courts of appeals,' shall read, 'The costs and fees to be charged and collected in each circuit court of appeals and in the United States Circuit Court of Appeals for the District of Columbia, shall be prescribed from time to time by the Judicial Conference of Senior Circuit Judges. Such costs and fees shall be reasonable and uniform in all the circuits.'"

26 Stat. 827.

Costs and fees.

SEC. 2. Until the effective date of action of the Judicial Conference of Senior Circuit Judges pursuant to section 1 of this Act the table of fees and costs now in effect in the circuit courts of appeals shall remain in force.

Approved September 27, 1944.

[CHAPTER 414]

AN ACT

To amend an Act entitled "An Act to provide fees to be charged by clerks of the district courts of the United States", approved February 11, 1925 (43 Stat. 857), as amended (28 U. S. C., secs. 548-555).

September 27, 1944
[H. R. 1623]
[Public Law 427]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act to provide fees to be charged by clerks of the district courts of the United States", approved February 11, 1925, as amended, is amended to read as follows:

U. S. Courts.
Fees of clerks of district courts.
43 Stat. 857.
28 U. S. C. § 549.

Fees on institution of suit or proceeding.

"SEC. 2. Upon the institution of any suit or proceeding, whether by original process, removal, indictment, information, or otherwise, there shall be paid by the party or parties so instituting such suit or proceeding, as fees of the clerk for all services to be performed by him in such case or proceeding, except as hereinafter provided, the sum of \$15: *Provided, however,* That the clerk shall not be required to account for any such fee not collected by him in any criminal case: *Provided further,* That nothing herein contained shall prohibit the court from directing by rule or standing order the collection at the time the services are rendered of the fees herein enumerated from either party, but all such fees shall be taxed as costs in the respective cases."

Criminal cases.

Collection.

Repeals.
43 Stat. 857.
23 U. S. C. §§ 550,
551, 554; Supp. III,
§ 550.

SEC. 2. Sections 3, 4, and 7 of the Act entitled "An Act to provide fees to be charged by clerks of the district courts of the United States", approved February 11, 1925, as amended, are hereby repealed.

SEC. 3. Section 5 of the Act entitled "An Act to provide fees to be charged by clerks of the district courts of the United States", approved February 11, 1925, as amended, is amended to read as follows:

43 Stat. 857.
28 U. S. C. § 552.

Appeal or writ of certiorari.

"SEC. 5. Upon the filing of any separate or joint notice of appeal or petition for appeal (including assignment of errors) to any circuit court of appeals or the Supreme Court of the United States, or upon the receipt of any order allowing or notice of the allowance of an appeal or of a writ of certiorari from an appellate court, there shall be paid by the party or parties prosecuting such appeal or procuring such writ of certiorari, as an additional fee in said suit or action, or proceeding in bankruptcy, the sum of \$5."

43 Stat. 857.
28 U. S. C. § 553.

SEC. 4. Section 6 of the Act entitled "An Act to provide fees to be charged by clerks of the district courts of the United States", approved February 11, 1925, as amended, is amended to read as follows:

Writ of habeas corpus or deportation order appeal.

"SEC. 6. Upon the filing of any petition or application for a writ of habeas corpus, or appeal from a deportation order of a United States commissioner, there shall be charged and collected by the clerk, from the petitioner or applicant, as full payment for all services performed or to be performed by him in said proceeding, the sum of \$5."

43 Stat. 858.
28 U. S. C. § 556;
Supp. III, § 555.

SEC. 5. Section 8 of the Act entitled "An Act to provide fees to be charged by clerks of the district courts of the United States", approved February 11, 1925, as amended, is amended to read as follows:

Miscellaneous services.

"SEC. 8. In addition to the fees for services rendered in cases, hereinbefore enumerated, the clerk shall charge and collect, for miscellaneous services performed by him, except when on behalf of the United States, reasonable fees which shall be prescribed from time to time by the Judicial Conference of Senior Circuit Judges: *Provided,* That in each criminal case not provided for in section 1033 of the Revised Statutes of the United States the clerk shall furnish each defendant, upon his request, a copy of any information filed or indictment returned against him, the fees for said copy and the certificate thereto, at the rates fixed as herein provided for, to be taxed as costs; but such fees shall not be demanded of any such defendant unless and until by order, judgment, or decree of the court the costs in the case are assessed against him."

Certain criminal cases.
Requests of defendants.
18 U. S. C. § 562.

SEC. 6. This amendatory Act shall take effect thirty days after its enactment: *Provided,* That in all suits or actions or proceedings instituted prior to and pending of record on the effective date of this amendatory Act, fees for services thereafter performed by clerks of district courts of the United States shall be charged and collected as

Effective date.
Prior or pending suits.

if this amendatory Act had not been enacted, and that until the effective date of action of the Judicial Conference of Senior Circuit Judges to prescribe fees for miscellaneous services pursuant to section 8 of the Act of February 11, 1925, as amended by this Act, fees for miscellaneous services shall continue to be charged and collected as if this amendatory Act had not been enacted.

Ante, p. 744.

Approved September 27, 1944.

[CHAPTER 415]

AN ACT

To amend the Nationality Act of 1940 to permit the Commissioner to furnish copies of any part of the records or information therefrom to agencies or officials of a State without charge.

September 27, 1944
[H. R. 1690]
[Public Law 428]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 342 (b) (9) of the Nationality Act of 1940 (54 Stat. 1161; U. S. C., title 8, sec. 742) is amended to read as follows:

Nationality Act of 1940, amendment.
Post, p. 755.

“(9) Reasonable fees, with the approval of the Attorney General, in cases where such fees have not been established by law, to cover the cost of furnishing copies, whether certified or uncertified, of any part of the records, or information from the records, of the Service. Such fees shall not exceed a maximum of 25 cents per folio, with a maximum fee of 50 cents for any one such service, in addition to a fee of \$1 for any official certification furnished under seal. No such fee shall be required from officers or agencies of the United States or of any State or any subdivision thereof, for such copies or information furnished for official use in connection with the official duties of such officers or agencies.”

Fees for furnishing copies of records.

Copies furnished without charge.

Approved September 27, 1944.

[CHAPTER 416]

AN ACT

To provide for the disposal of materials or resources on the public lands of the United States which are under the exclusive jurisdiction of the Secretary of the Interior.

September 27, 1944
[H. R. 2697]
[Public Law 429]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, under such rules as he may prescribe, may dispose of sand, stone, gravel, vegetation, and timber or other forest products, on public lands of the United States which are under his exclusive jurisdiction, if the disposal of such materials is not otherwise expressly authorized by law and if such disposal would not be detrimental to the public interest. Such materials may be disposed of only upon the payment of adequate compensation therefor, to be determined by the Secretary, and only after public notice of the disposal has been given prior thereto in such manner as may be prescribed by the Secretary. Nothing in this section shall be construed to apply to any national park or national monument or to any Indian lands or lands set aside or held for the use or benefit of Indians, including lands over which jurisdiction has been transferred to the Department of the Interior by executive order for the use of Indians.

Public lands. Disposal of certain materials.

Compensation and notice.

Lands excluded.

SEC. 2. All moneys received from the disposal of materials under this Act shall be disposed of in the same manner as moneys received from the sale of public lands.

Disposal of moneys received.

SEC. 3. Before disposing of any such materials referred to in section 1, the Secretary shall first give public notice, published in a newspaper published in the county where such materials are located

Publication of notice.