

shall not have succession beyond December 31, 1946, except for purposes of liquidation, unless its life is extended beyond such date pursuant to an Act of Congress."

56 Stat. 353.  
50 U. S. C., Supp.  
IV, app. § 1104.  
Board of directors.

SEC. 2. (a) Section 4 (c) of such Public Law 603 is amended to read as follows:

"(c) The management of the Corporation shall be vested in a board of five directors who shall be appointed by the President, by and with the advice and consent of the Senate, from among individuals who are familiar with the problems of small business. The President shall designate one of the members as chairman."

Continuance of present members in office.

(b) Notwithstanding the amendment made by subsection (a) of this section, the members of the board of directors of the Smaller War Plants Corporation holding office at the time of the enactment of this Act shall continue in office until five members have been appointed pursuant to section 4 (c) of such Public Law 603 as amended by this section.

Approved April 27, 1945.

[CHAPTER 99]

AN ACT

April 27, 1945  
[S. 122]  
[Public Law 43]

To amend an Act entitled "An Act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets, of the District of Columbia; and for other purposes", approved March 3, 1921, as amended.

District of Columbia.  
Weights, measures, and markets.

41 Stat. 1217.  
D. C. Code § 10-101  
*et seq.*  
*Ante*, p. 45.

D. C. Code § 10-103.

Powers of Superintendent.

Periodic inspection of weights and measures.

Approval or condemnation.

Unapproved or non-standard devices, prohibition on use.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act of Congress entitled "An Act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets, of the District of Columbia; and for other purposes", approved March 3, 1921, as amended, is hereby further amended as follows:

Strike out section 3 of said Act and insert in lieu thereof the following:

"SEC. 3. That the Superintendent and, under his direction, his assistants and inspectors, shall have exclusive power to perform all the duties provided in this Act. They shall, at least every six months, and oftener when the Superintendent thinks proper, inspect, test, try, and ascertain whether or not they are correct, all weights, scales, beams, measures of every kind, instruments or mechanical devices for weighing or measuring, and all tools, appliances, or accessories connected with any or all such instruments or mechanical devices for weighing or measuring used or employed in the District of Columbia by any owner, agent, lessee, or employee in determining the weight, size, quantity, extent, area, or measurement of quantities, things, produce, or articles of any kind offered for transportation, sale, barter, exchange, hire, or award, or the weight of persons for a charge or compensation, and shall approve and seal, stamp, or mark, in the manner prescribed by the Commissioners, such devices or appliances as conform to the standards kept in the office of the Superintendent, and shall seize and destroy or mark, stamp, or tag with the word 'condemned' such as do not conform to the standards, and shall also mark the date of such condemnation upon the same. Any weight, scale, beam, measure, weighing or measuring device of any kind which shall be found to be unsuitable for the purpose for which it is intended to be used or of defective construction or material shall be condemned. No person shall use or, having the same under his control, shall permit to be used for any of the purposes enumerated in this Act any weight, scale, beam, measure, weighing or measuring device whatsoever unless the same has been approved in accordance with the provisions of this

Act within six months prior to such use, or that does not conform to the standards kept in the office of the Superintendent of Weights, Measures, and Markets, or that does not bear the approval seal, stamp, or mark prescribed by the Commissioners, or which, having been condemned, has not thereafter been approved as provided in this Act.

“Any person who shall acquire or have in his possession after the passage of this Act any scale, weighing instrument, or nonportable measure or measuring device, subject to inspection or test under the provisions of this Act, which has not been approved in accordance with the provisions of this Act within six months prior to acquisition or possession and which does not bear the approval seal, stamp, or mark prescribed by the Commissioners, shall notify the Superintendent in writing at his office, giving a general description thereof, and the street and number or other location where same may be found, and it shall be the duty of the Superintendent to cause the same to be inspected and tested within a reasonable time after receipt of such notice. Any person who shall acquire or have in his possession after the passage of this Act any portable measure or measuring device, subject to inspection or test under the provisions of this Act, which has not been approved in accordance with the provisions of this Act within six months prior to acquisition or possession and which does not bear the approval seal, stamp, or mark prescribed by the Commissioners shall cause the same to be taken to the office of the Superintendent for inspection and test.

Notice for inspection.

Portable measures.

“Every peddler, hawker, huckster, transient merchant, or other person with no fixed or established place of business shall, before using any weight, scale, measure, weighing or measuring device for any of the purposes enumerated in this Act, cause the same to be taken to the office of the Superintendent for inspection and test semi-annually, and shall not use for the purposes herein mentioned any weight, scale, measure, weighing or measuring device which has not been approved within six months prior to the time of such use, and does not bear the approval seal, stamp, or mark prescribed by the Commissioners.”

Peddlers' weights and measures.

SEC. 2. Insert at the end of section 7 the following :

D. C. Code § 10-107.

“No person shall charge or collect for any commodity or commodities a sum greater than the price or prices indicated or quoted at the time of sale. No person shall charge, collect, or accept any money for any commodity which he shall not have delivered or which he shall not have agreed to deliver. When a whole number or fraction, or both, are used in representing the price or quantity of any commodity, thing, or service offered or exposed for sale, such number or combination of numbers shall be of such size as to indicate clearly the price or quantity of such commodity, thing or service.”

Price restrictions.

Undelivered commodities.

Size of numerals indicating price, etc.

SEC. 3. Strike out section 11 of said Act and insert in lieu thereof the following :

D. C. Code § 10-111.

“SEC. 11. That it shall be unlawful to sell or offer for sale in the District of Columbia any coal, charcoal, or coke in any manner other than by weight. No person shall sell or deliver or attempt to deliver to any purchaser within the District of Columbia any coal, charcoal, or coke unless the quantity so sold or delivered or attempted to be delivered to each purchaser shall have been weighed separately. No person shall deliver to any purchaser within the District of Columbia any coal, charcoal, or coke unless the same shall have been kept separated from any other coal, charcoal, coke, or other commodity after same has been weighed as aforesaid until final delivery thereof.

Coal, charcoal, and coke. Sale by weight.

“No person shall deliver or attempt to deliver any coal, charcoal, or coke in a quantity of one-fourth of a ton or more without accompanying the same by a delivery ticket and a duplicate thereof, the

Delivery ticket.

original of which shall be in ink or indelible substance, on each of which shall be clearly and distinctly expressed the following information:

“(a) The gross weight of the load, the tare weight of the delivery vehicle, and the net weight of the coal, charcoal, or coke expressed in pounds avoirdupois;

“(b) The name of the owner and location of the scale on which the coal, charcoal, or coke shall have been weighed;

“(c) Name and address of the seller and of the purchaser; and

“(d) The name of the person who weighed said coal, charcoal, or coke.

Verification of weight.

“Upon demand of the Superintendent or any of his assistants or inspectors upon the person in charge of the vehicle of delivery, the original of these tickets shall be surrendered to the official making such demand. The duplicate ticket shall be delivered to the purchaser of said coal, charcoal, or coke, or to his agent or representative, at the time of delivery of such coal, charcoal, or coke. Upon demand of the Superintendent or any of his assistants or inspectors, or of the purchaser or intended purchaser, his agent, or representative, the person delivering such coal, charcoal, or coke shall convey the same forthwith to a public scale, owned and operated as hereinafter provided, or to any legally approved private scale in the District of Columbia, the owner of which may consent to its use, and shall permit the verifying of the weight, and after the delivery of such coal, charcoal, or coke shall return forthwith with the wagon, truck, or other vehicle used to the same scale and permit to be verified the weight of the wagon, truck or other vehicle.

Sales of one-fourth ton or more.

Sales of less than one-fourth ton.

Package sale requirements.

“When coal, charcoal, or coke is sold in quantities of one-fourth ton or more, it shall be sold in quantities of one-fourth ton, one-half ton, one ton, or in multiples of a ton. When coal, charcoal, or coke is sold in quantities of less than one-fourth ton, it shall be weighed at the time of delivery or sold in packages containing one hundred pounds, fifty pounds, twenty-five pounds, fifteen pounds, or ten pounds. No package of coal, charcoal, or coke shall be made for sale, kept for sale, offered for sale, exposed for sale, or sold unless it shall have distinctly and conspicuously printed on the outside thereof in plain bold-face type, not smaller than thirty-six point, the name of the commodity, the quantity of contents in pounds, and the name and address of the maker of said package. When coal, charcoal, or coke is sold and delivered in packages, no delivery ticket shall be required.

Liquid contents.

“No coal, charcoal, or coke shall be sold which contains at the time the weight is taken more water or other liquid substance than is due to the natural condition of the coal, charcoal, or coke.

Display of vendor's name on vehicle.

“Every vendor of coal, charcoal, or coke shall cause his name and address to be distinctly and conspicuously displayed in letters and figures at least four inches high on both sides of every vehicle used by or for him for the sale or delivery of coal, charcoal, or coke. In case of an estate, the trustee, administrator, or executor, or other person in charge of the affairs of such estate shall be deemed to be the vendor.”

D. C. Code § 10-114.

SEC. 4. Strike out section 14 of said Act and insert in lieu thereof the following:

Milk or cream.  
Capacity of bottles or jars.  
Markings.

“SEC. 14. That bottles or jars used for the sale of milk or cream shall be of the capacity of one gallon, half gallon, three pints, one quart, one pint, half pint, or one gill. Such bottles or jars shall have clearly blown or otherwise permanently marked in the side of each such bottle or jar or printed on the cap or stopple the name and address of the person, firm, or corporation who or which shall have bottled such milk or cream. Any person who uses, for the purpose

of selling milk or cream, bottles or jars which do not comply with the requirements of this section shall be deemed guilty of using false measure."

SEC. 5. Insert after section 22 of said Act the following new section:

"SEC. 22½. The Superintendent of Weights, Measures, and Markets is further authorized to make purchases of food in connection with the investigation and detection of sales of food by misrepresentation or false advertising in violation of the Act entitled 'An Act to prevent fraudulent advertising in the District of Columbia', approved May 29, 1916; and there are hereby authorized to be appropriated annually such sums as may be necessary for carrying out the purposes of this section."

SEC. 6. Strike out the last sentence of section 19 of said Act and insert in lieu thereof the following: "All fish, meat, poultry, meat products, lard, lard substitutes, butter, butter substitutes, and cheese shall be sold by avoirdupois weight."

SEC. 7. Strike out section 28 of said Act and insert in lieu thereof the following:

"SEC. 28. That the Commissioners are hereby authorized and empowered to make such regulations as may be necessary for the control, regulation, and supervision of all markets owned by the District of Columbia and that the Superintendent, under the direction of the Commissioners, shall have supervision of all produce and other markets owned by the District of Columbia, shall enforce such regulations regarding the operation of the same as the Commissioners may make, shall make such investigations regarding the sale, distribution, or prices of commodities in the District of Columbia as the Commissioners may direct, and shall make reports and recommendations in connection therewith."

Approved April 27, 1945.

[CHAPTER 100]

AN ACT

To amend section 16 of the Act entitled "An Act to amend the Act entitled 'An Act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia', approved June 20, 1906, as amended, and for other purposes", approved June 4, 1924.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 16 of the Act entitled "An Act to amend the Act entitled 'An Act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia', approved June 20, 1906, as amended, and for other purposes", approved June 4, 1924 (Public, Numbered 188, Sixty-eighth Congress), be amended to read as follows:

"SEC. 16. That when necessary, the Board of Education, on written recommendation of the Superintendent of Schools, is authorized and empowered to appoint temporary teachers: *Provided*, That such appointments shall be made for a limited period not to extend beyond June 30 of the fiscal year in which the appointments are made, and the Board of Education is authorized to terminate the services of any temporary teachers at any time, on the written recommendation of the Superintendent of Schools: *Provided further*, That all temporary teachers shall be assigned to the basic salary of the class in which the service is to be performed, and shall not be entitled to longevity allowance in said class."

Approved April 27, 1945.

D. C. Code § 10-124.

Food products.  
Misrepresentation  
or false advertising.

39 Stat. 165.  
D. C. Code §§ 22-  
1411 to 22-1413.

D. C. Code § 10-120.  
Sales by avoirdupois weight.

D. C. Code § 10-130.

Markets owned by  
District of Columbia.  
Regulation and supervision.

April 27, 1945  
[S. 124]

[Public Law 44]

Public schools, D. C.  
43 Stat. 375.  
D. C. Code § 31-604.  
Post, p. 500.

Temporary teachers.

Period of appointments.

Salary.