AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

[CHAPTER 322]

AN ACT

July 18, 1939
[H. R. 5288]
[Public, No. 193]

To amend section 691–a of the Code of Law of the District of Columbia, approved March 3, 1901, and of any Act or Acts amendatory thereof relating to foreign building and loan associations doing business in the District of Columbia.

District of Columbia Code amendments.
31 Stat. 1189; 35 Stat. 1059.
5 D. C. Code, § 45.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 691–a of the code entitled "An Act to establish a Code of Law for the District of Columbia", approved March 3, 1901, and of any Act or Acts amendatory thereof (D. C. Code, title 5, sec. 45), is amended to read as follows:

Foreign building, etc., associations doing business within the District.
Certificate of authority required.

"SEC. 691–a. No foreign association shall make loans of any kind or transact any building and loan business within the District of Columbia or maintain an office in the District of Columbia for the purpose of transacting such business until it procures from the Comptroller of the Currency a certificate of authority to do such business in said District, after complying with the following provisions:

Deposit as security for claims.

"(a) It shall deposit with the Treasurer of the United States $50,000 in cash or bonds of the United States or bonds which the United States guarantees the payment of both principal and interest.

Collection and use of interest on securities deposited.

A foreign association may collect and use the interest on securities deposited with the Treasurer of the United States, as hereinabove provided, so long as it fulfills its obligations and complies with the laws of the District of Columbia.

Exchange for other securities.

It may also exchange them for other securities of the United States or for cash. The deposit made by a foreign association with the Treasury of the United States shall be held as security for all claims of residents of the District of Columbia against such association, and be liable for all judgments or decrees thereon, and subjected to the payment thereof in the same manner as the property of other nonresidents.

Release upon cessation of business; outstanding liabilities.

Should an association cease to do business in said District, the Treasurer of the United States, upon a certificate from the Comptroller of the Currency, may release securities in his discretion, retaining sufficient to satisfy all outstanding liabilities;

Corporate documents to be filed with Comptroller.

"(b) It shall file with the Comptroller of the Currency a certified copy of its charter, constitution, and bylaws, and other rules and regulations showing its manner of conducting business, together with a statement such as is required semiannually from all associations;

Power of attorney, etc.

"(c) It shall file with the Comptroller of the Currency a power of attorney appointing a citizen of the District of Columbia, resident within said District, the agent or attorney for such foreign association upon whom process of law can be served. There must also be filed a certified copy of the vote or resolution of the directors appointing such agent or attorney, which appointment shall continue until another agent or attorney is substituted, and said writing or power of attorney shall stipulate and agree on the part of such foreign association making the same that any lawful process against said association, which is served on such agent or attorney, shall be of the same legal force and validity as if served on such association within the District of Columbia; and, also, that in the case of the death or absence of the agent or attorney so appointed, service or process may be made upon the Comptroller of the Currency, and such power of attorney cannot be revoked or modified (except that a new one may be substituted) so long as any liability remains outstanding against such foreign association in the District of Columbia.

Service of process.

Service upon Comptroller if agent dead, absent, etc.

Term defined.

The term 'process', used above, shall be held and deemed to include any writ, summons, or order whereby any action, suit, or proceeding

shall be commenced, or which shall be issued in or upon any action, suit, or proceeding by any court, officer, or magistrate.

"(d) It shall pay to the collector of taxes the following fees: Fees.

"For filing an application for admission to do business in the District of Columbia, $500; Filing application.

"For each certificate of authority and annual renewal thereof, $200. Certificate of authority; renewals.

"(e) When a foreign association has complied with the provisions of paragraph (c) of said section 691–a, and the Comptroller of the Currency is satisfied that it is doing or will do its building and loan business in the District of Columbia in accordance with the laws of the District of Columbia, he may issue his certificate of authority to such foreign association to do a building and loan business in the District of Columbia. Annually thereafter, if the Comptroller of the Currency is satisfied as herein provided, he shall issue a renewal of such certificate. Issuance of certificate of authority upon compliance with law. Annual renewals.

"(f) Should the Comptroller of the Currency find that such foreign association does not conduct its building and loan business in accordance with law, or that the affairs of such association are in unsafe condition, or if such foreign association refuses to permit examination to be made, the Comptroller of the Currency may revoke the certificate of authority granted, after ninety days' notice, to such foreign association to do a building and loan business in the District of Columbia: *Provided*, That upon revocation of such certificate of authority the Comptroller of the Currency shall mail a notice thereof to the home office of such foreign association and cause a similar notice to be published in at least one daily newspaper of general circulation in the District of Columbia. After so notifying said home office and after the publication of said notice, it shall be unlawful for any agent of such foreign association to receive any further payments from shareholders residing in the District of Columbia. Revocation provisions. *Proviso.* Notice to home office; publication in local daily newspaper. Transactions thereafter unlawful.

"(g) Every foreign association doing a building and loan business in the District of Columbia shall be subject to the same examination as are domestic associations and such examination may include examination of all subsidiaries of such foreign associations and all business operations wherever apparent: *Provided*, That the Comptroller of the Currency may accept reports of examination by other supervisory agents in lieu of making such examinations and provided that all the actual and necessary expense of such examinations of such foreign associations shall be paid by the association examined if said examination is made beyond the limits of the District of Columbia, but if made within the limits of the District of Columbia, the cost of the examination to be at the same rate and upon the same terms as provided in section 691. Examinations. *Proviso.* Acceptance of reports by other supervisory agents. Examination expenses.

"(h) Whenever any taxes, fines, penalties, fees, licenses, or conditions precedent are imposed by the laws of any State upon building and loan associations organized or incorporated under the laws of the District of Columbia, and doing business in the said State, in excess of the taxes, fines, penalties, fees, licenses, or conditions precedent imposed by the laws of the District of Columbia upon foreign associations doing a building and loan business in the District of Columbia, the same taxes, fines, penalties, fees, licenses, or conditions precedent shall be imposed upon every association incorporated under the laws of such State doing, or applying to do, a building and loan business in the District of Columbia, so long as such excess taxes, fines, penalties, fees, licenses, or conditions precedent are imposed by such State; and upon the failure of any association incorporated under the laws of such State to comply therewith the Comptroller of the Currency shall revoke the certificate of authority of such association to do a building and loan business Countervailing taxes, etc.

in the District of Columbia or shall refuse to grant such certificate of authority in the first instance.

Penalty provision.

"(i) A foreign association which does a building and loan business in the District of Columbia without first complying with the provisions of this chapter, or which willfully violates or fails to comply with the provisions of laws relating to foreign associations, shall forfeit and pay not less than $25 or more than $500, to be recovered by an action in the name of the United States and on collection paid into the Treasury of the United States."

Inconsistent laws repealed; effective date.

SEC. 2. All other Acts or parts of Acts inconsistent herewith are hereby repealed. This Act shall take effect on the date of its enactment.

Approved, July 18, 1939.

[CHAPTER 323]

July 18, 1939
[H. R. 5479]
[Public, No. 194]

AN ACT

Granting annual and sick leave with pay to substitutes in the Postal Service.

Postal Service.
Annual and sick leave with pay to substitutes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter substitutes in the Postal Service shall be rated as employees and each substitute postal employee in the classified civil service shall be granted the same rights and benefits with respect to annual and sick leave that accrue to regular employees in proportion to the time actually employed. Sick leave shall be computed on the basis of illness or disability incurred during the period of actual employment in the Postal Service.

Basis of computing sick leave.

Illness, etc., incurred while not on active duty, etc.

SEC. 2. No substitute shall be entitled to sick leave for an illness or disability incurred while such substitute is not on active duty or on annual leave.

Maximum allowance.

SEC. 3. In no event shall a substitute employee be granted more than fifteen days' annual and ten days' sick leave allowed by existing law to regular employees.

Service eligibility.

SEC. 4. No substitute shall be entitled to the benefits of this Act until he has served two thousand four hundred and forty-eight hours.

Regulations to be prescribed.

SEC. 5. The Postmaster General is authorized and directed to prescribe such rules and regulations as may be necessary or appropriate to carry out the provisions of this Act.

Approved, July 18, 1939.

[CHAPTER 324]

July 18, 1939
[S. J. Res. 118]
[Pub. Res., No. 30]

JOINT RESOLUTION

To provide for the establishment and maintenance of the Franklin D. Roosevelt Library, and for other purposes.

Franklin D. Roosevelt Library.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—DEFINITIONS

Terms defined.

SECTION 1. As used in this joint resolution—

"Donor."

(a) The term "donor" means Franklin D. Roosevelt.

"Historical material."

(b) The term "historical material" includes books, correspondence, papers, pamphlets, works of art, models, pictures, photographs, plats, maps, and other similar material.

"Board."

(c) The term "Board" means the Trustees of the Franklin D. Roosevelt Library.