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seventy-four and eighty-eight one-hundredths feet, to a point in the right-of-way boundary line between the said Charleston Interurban Railroad Company and the West Virginia State Highway Route Numbered 61, said point being eighty-nine and seven one-hundredths feet distant, in a northwesterly direction, from the southerly boundary line of the A. J. Baker land; thence, running with and along said right-of-way boundary line, north twenty-seven degrees west seventy-seven and forty-five one-hundredths feet, to a point in said boundary line; thence, continuing with said right-of-way boundary line, north twenty-four degrees thirty-two minutes west two hundred and sixteen and seventy-five one-hundredths feet to the point of beginning, containing three and three hundred seventeen one-thousandths acres, more or less, and being a part of the portion of the nine-acre Baker tract designated on said United States Army Engineers' plat as "3–A".

Easements to U. S. for right-of-way and flood-control purposes.

There is expressly excepted and reserved to the United States of America an easement of way for all right-of-way purposes whenever the same may be required, on, over, in, and across each of the two tracts hereinabove described, for the use and benefit of the United States of America, its assigns and permittees, and there is likewise hereby excepted and reserved to the United States of America the perpetual easement and right to flood such part or parts of each of the two tracts of land hereinabove described as may be necessary so to do from time to time in the interests of navigation and flood control.

Description of conveyance.

(b) The two tracts of land described in subsection (a) of this section are parts, and come out of, that certain lot, piece, and parcel of land containing nine and fifty-one one-hundredths acres, more or less, which was acquired by the United States through a condemnation proceeding had in the United States District Court for the Southern District of West Virginia, sitting in the city of Charleston, West Virginia, on November 9, 1933, and styled United States of America against A. J. Baker and others, a copy of the final decree in such proceeding being recorded on November 18, 1933, in the office of the clerk of the county court of Kanawha County, West Virginia, in deed book numbered 390, at page 527 thereof, to which reference is made for a more complete description.

Consideration.

SEC. 2. The consideration to be paid by such town of Marmet for the two tracts of land, the conveyance of which is authorized by the first section of this Act, shall be the sum of $3,300, being 50 per centum of the current appraised value thereof.

Use of lands.

Such two tracts of land shall be held and used by the grantee for the purposes of a public park and recreational site and for similar and related municipal purposes.

Reversionary provision.

The deed of conveyance of such tracts of land to be executed by the Secretary of War shall contain appropriate provisions to provide for a reversion of such tracts of land to the United States in the event the grantee shall fail to use or shall cease using them for such purposes or shall alienate or attempt to alienate any part of them.

Approved, July 8, 1942.

[CHAPTER 496]

July 9, 1942
[H. R. 7349]
[Public Law 661]

AN ACT

Making appropriations for the Department of Agriculture for the month of July 1942.

Department of Agriculture.
Appropriations for month of July 1942.
Post, p. 664.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all purposes and objects of expenditure under the Department of Agriculture for the fiscal year ending June 30, 1943, which are provided for in the bill (H. R. 6709 of the Seventy-seventh Congress) entitled "A bill making

appropriations for the Department of Agriculture for the fiscal year ending June 30, 1943, and for other purposes", together with the Senate amendments thereto to the extent the House of Representatives and the Senate have agreed upon such amendments (otherwise, on the basis of the purposes and objects of expenditure as the same were authorized and provided for in appropriation Acts for the Department of Agriculture on account of the fiscal year 1942), are hereby authorized and provided, for and during the month of July 1942, to the extent, in the detail, and under the conditions, authority, restrictions, and limitations as contained in such bill and such amendments as agreed upon, and otherwise, as aforesaid, and there are hereby appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary therefor: *Provided*, That if, at any time prior to August 1, 1942, such bill shall become a law, the foregoing provisions of this Act shall thereupon cease to be effective and the amounts expended or obligated hereunder shall be charged against the appropriations or authorizations therein and the total amount expended or obligated during such fiscal year for any item or object of expenditure shall not exceed the amount therein authorized or appropriated for such item when the same is enacted into law.

Proviso. Termination of effectiveness.

Charging of amounts expended, etc.

SEC. 2. The appropriations and authority with respect to appropriations contained herein for the fiscal year 1943 shall be available from and including July 1, 1942, for the purposes respectively provided in such appropriations and authority. All obligations incurred during the period between June 30, 1942, and the date of enactment of this Act in anticipation of such appropriations and authority are hereby ratified and confirmed if in accordance with the terms thereof.

Availability of funds.

Ratification of incurred obligations.

Approved, July 9, 1942.

[CHAPTER 497]

AN ACT

July 9, 1942
[H. R. 7137]
[Public Law 662]

To amend the Agricultural Adjustment Act of 1938, as amended, with respect to marketing quotas for peanuts, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Agricultural Adjustment Act of 1938, as amended, is amended as follows:

Agricultural Adjustment Act of 1938, amendments.

(1) Section 358 (d) is amended by striking out the last sentence thereof and inserting in lieu thereof the following: "The amount of the marketing quota for each farm shall be a number of pounds of peanuts equal to the normal production or the actual production, whichever is the greater, of the farm peanut acreage allotment and no peanuts shall be marketed under the quota for any farm other than peanuts actually produced on the farm."

55 Stat. 89.
7 U. S. C., Supp. I, § 1358 (d).
Farm marketing quota for peanuts.

(2) Section 359 (b) is amended to read as follows:

"(b) Beginning with the 1941 crop of peanuts, payment of the penalty of 3 cents per pound upon the marketing of peanuts as provided in subsection (a) above will not be required if such excess peanuts are delivered to or marketed through an agency or agencies designated each year by the Secretary or if the producer pays to the United States, with respect to excess peanuts which, when marketed, were identified in the manner prescribed in the regulations of the Secretary as quota peanuts, an amount determined under regulations of the Secretary to represent the amount received for the peanuts in excess of the amount which would have been received had such peanuts been delivered to a designated agency as excess peanuts. Any peanuts received under this subsection by such agency shall be sold by such agency (i) for crushing for oil under a sales agreement approved by the Secretary; (ii) for cleaning and shelling at prices

55 Stat. 90.
7 U. S. C., Supp. I, § 1359 (b).
Marketing in excess of quota.
Release from penalty, condition.

Sale and use of excess peanuts.