

eighty-one one-hundredths, east thirty-five thousand seven hundred and seven and sixty-nine one-hundredths—said coordinates are developed from triangulation station "Cedar" whose coordinates are north forty-three thousand five hundred and seventeen and seventeen one-hundredths, east thirty-five thousand two hundred and eighteen and fifty-six one-hundredths—and the bearings given are true grid bearings—bearing from triangulation station "Cedar" to reference monument numbered 3 for station "Cedar" north six degrees thirty-eight minutes nine seconds east, thence leaving the said north right-of-way line of Southway north no degrees no minutes no seconds east seven hundred and thirty-eight and nineteen one-hundredths feet to a concrete monument; thence due east one hundred and seven and thirty-one one-hundredths feet to a concrete monument; thence south fifty-four degrees seven minutes fifty seconds east four hundred and one and six one-hundredths feet to a concrete monument; thence south seventy-six degrees forty-eight minutes thirty seconds east two hundred and thirty feet to a concrete monument; thence south no degrees forty-four minutes no seconds west two hundred and seventy-seven and three one-hundredths feet to a concrete monument on the north right-of-way line of Southway; thence with the said north right-of-way line of Southway and along the arc of a curve to the right whose components are: Arc six hundred and eighty-three and nine one-hundredths, radius one thousand three hundred and thirteen, delta twenty-nine degrees forty-eight minutes thirty seconds, tangent three hundred and forty-nine and forty-six one-hundredths, chord six hundred and seventy-five and forty-two one-hundredths, chord bearing south seventy-five degrees five minutes forty-five seconds west to the point of beginning; containing eight and three one-hundredths acres exactly. The United States shall be saved harmless from or reimbursed for such costs incidental to the conveyance as the Commissioner may deem proper.

SEC. 2. The land authorized to be conveyed by the first section of this Act shall be used by the grantee for purposes of a site for a National Guard Armory and for training the National Guard or for other military purposes, and the conveyance of such land shall contain the express condition that if the grantee shall fail or cease to use such land for such purposes, or shall alienate or attempt to alienate such land, title thereto shall, at the option of the United States, revert to the United States.

SEC. 3. Sections 1 and 2 of this Act shall not be effective until the Governor of the State of Maryland shall certify in writing to the Secretary of Defense that such land is needed by the State of Maryland for the purposes of a site for a National Guard Armory and for training the National Guard or for other military purposes and that such land is suitable for such purposes.

Approved August 10, 1949.

[CHAPTER 415]

AN ACT

To revise and codify laws of the Canal Zone regarding the administration of estates, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 2 of the Canal Zone Code, approved June 19, 1934 (48 Stat. 1122), is amended by adding in article 1 of chapter 6 thereof a new section numbered 84, reading as follows:

"84. PAYMENT FOR ACCUMULATED OR ACCRUED LEAVE UPON DEATH.—Upon the death of any officer or employee of the Panama Canal or the

Use.

Reversion of title to
U. S.

Certification by
Governor.

August 10, 1949

[S. 1137]

[Public Law 219]

Canal Zone Code,
amendments.

Panama Railroad Company on the Isthmus of Panama, any compensation which may be payable on account of his accumulated and current accrued leave, under the conditions of employment prescribed by authority of section 81 of this title, as amended, shall be paid, upon the establishment of a valid claim therefor, in the following order of precedence:

"First, to the beneficiary or beneficiaries, if any, lawfully designated by the employee under the retirement Act applicable to his service; and

"Second, if there be no such designated beneficiary, to the estate of such deceased employee: *Provided*, That any such payment shall be subject to the deduction, as provided in section 83 of this title, of all amounts due from the employee for supplies and services to the extent only, however, that other compensation due to the employee is insufficient for such purpose."

SEC. 2. Title 2 of the Canal Zone Code is amended by adding in chapter 9 thereof two new sections numbered 181 and 182, respectively, and reading as follows:

"181. REGULATIONS RELATIVE TO ALCOHOLIC BEVERAGES.—The President is granted continuing authority to make regulations in respect to the sale and manufacture of alcoholic beverages within, and the importation thereof into and exportation thereof from, the Canal Zone, including the authority to prescribe licenses and fees for the sale and manufacture of such beverages.

"182. VIOLATION OF REGULATIONS; PUNISHMENT.—Any person who shall violate any provision of such regulations shall be punishable by a fine of not more than \$500, or by imprisonment in jail for not more than six months, or by both, and in addition the license of such person may be revoked or suspended as the President may by such regulations prescribe."

SEC. 3. Section 303 of title 2 of the Canal Zone Code is amended to read as follows:

"303. REVOCABLE LICENSES COVERING LANDS OUTSIDE OF TOWN SITES.—Whenever the Governor of the Panama Canal deems such action to be necessary to, or in the interests of, the Government of the United States and of the efficient operation, maintenance, sanitation, government, and protection of the Panama Canal and Canal Zone, the Governor is authorized, either in person or through such officer as he may designate, to issue revocable licenses covering the use of tracts of land situated outside of town sites in the Canal Zone. The terms and conditions of licenses issued under authority of this section shall be as prescribed by the Governor, except that the said licenses shall be revocable at the pleasure of the Governor and that, upon revocation of a license hereunder, the licensee shall, immediately or upon such reasonable notice as the Governor may prescribe, vacate the licensed area, remove therefrom all improvements which he may have placed upon the licensed area, and restore the licensed area to a condition satisfactory to the Governor, and shall not be entitled to indemnification for the value of such improvements: *Provided, however*, That licenses heretofore issued by authority of the Governor, and still in force, covering the use of tracts of land for agricultural purposes are ratified and confirmed in accordance with the terms and conditions applicable to them, respectively, and that upon the revocation of any of such licenses the terms and conditions applicable to which are such as to provide for compensation to the licensee in the reasonable value of the improvements made by him on said tract, to be determined in such manner as the Governor may direct, the compensation is authorized so to be determined and to be paid out of any moneys heretofore or hereafter appropriated for such purpose, except that no compensation shall be paid in the case of any license which is revoked on account of a material breach by the licensee of the terms and conditions

Prior licenses.

applicable to his license, or where the licensee shall have abandoned the license, or in case of the death of the licensee."

SEC. 4. Section 225 of title 3 of the Canal Zone Code is amended to read as follows:

"225. CONTINUANCE AFTER ORIGINAL LICENSE PERIOD.—The right to continue to do business for the calendar year, and the successive calendar years, after the calendar year during which the original license was issued shall be contingent upon compliance with such provisions of this chapter as are applicable to corporations licensed under this chapter, upon the payment of a license fee of \$10, payable in advance, on January 1 of each year, and upon the designation of a new process agent before March 1 if the process agent theretofore designated has ceased during a preceding calendar year to reside within the Canal Zone."

SEC. 5. Title 4 of the Canal Zone Code is amended by inserting therein a new chapter numbered 27A, embracing sections 1470a to 1470f, and reading as follows:

"CHAPTER 27A.—DISPOSITION OF ESTATES WITHOUT ADMINISTRATION

"Sec.

1470a. Setting aside estates not exceeding \$1,000 in value; inclusion of application in petition for probate or letters.

1470b. Same; separate petition prior to hearing of petition for probate or letters.

1470c. Same; petition after filing of inventory.

1470d. Same; notice of hearing.

1470e. Same; decree setting aside.

1470f. Same; denying petition and instead acting on petition for probate or letters.

"SEC. 1470a. SETTING ASIDE ESTATES NOT EXCEEDING \$1,000 IN VALUE; INCLUSION OF APPLICATION IN PETITION FOR PROBATE OR LETTERS.—If the decedent leaves a surviving spouse or minor child or minor children, and the net value of the whole estate, over and above all liens and encumbrances of record at the date of death and not including the property excepted from administration under section 649 of title 3, does not exceed the sum of \$1,000, the person petitioning for the probate of the will or for letters of administration may add an allegation to that effect to the other allegations of the petition, with a specific description of all of the decedent's property, a list of all the liens and encumbrances of record at the date of death, and an estimate of the value of the property, and may include, in the prayer, an alternative prayer that if the court finds that the net value of the whole estate, over and above all liens and encumbrances of record at the date of death and not including the property excepted from administration under section 649 of title 3 does not exceed \$1,000, the same be set aside to the surviving spouse, if there be one, and if there be none, then to the minor child or minor children of the decedent. When such allegation is included in the petition, the petition shall be verified, and the notice of hearing shall include a statement that a prayer for setting aside the estate to the surviving spouse or minor child or minor children, as the case may be, is included in the petition.

"CROSS-REFERENCE

"Settlement by public administrator without regular administration of estates less than \$250, see section 1703 of this title, as amended.

"1470b. SAME; SEPARATE PETITION PRIOR TO HEARING OF PETITION FOR PROBATE OR LETTERS.—If the person petitioning for probate of the will or for letters of administration does not include such an allegation as is provided for by the next preceding section, the surviving spouse, if there be one, and if there be none, the guardian of the minor child

or minor children, may, at any time prior to the hearing of such petition, file a verified petition setting forth the matters mentioned in the next preceding section, and pray that the estate be set aside for the use of the surviving spouse or minor child or minor children. If the hearing of the original petition is set for a day more than ten days after the filing of the petition herein provided for, the latter shall be set for hearing at the same time as the former; if not, it shall be set for hearing at least ten days after the date on which it is filed, and the former petition shall be continued until such date.

"1470c. SAME; PETITION AFTER FILING OF INVENTORY.—If the decedent leaves a surviving spouse or minor child or minor children, and upon the filing of the inventory of the estate it appears that the net value of the whole estate, over and above all liens and encumbrances of record at the date of death and not including the property excepted from administration under section 649 of title 3, does not exceed the sum of \$1,000, the personal representative of the decedent or the surviving spouse or the guardian of the minor child or children may file a verified petition showing the value of the estate to be no greater than as aforesaid, and the clerk shall fix a day for the hearing thereof.

"1470d. SAME; NOTICE OF HEARING.—When a petition is filed under section 1470b or section 1470c of this title, the clerk shall give notice of the hearing for the period and in the manner required by section 1463 of this title.

"1470e. SAME; DECREE SETTING ASIDE.—If, upon the hearing of any petition provided for by this chapter, the court finds that the net value of the estate, over and above all liens and encumbrances of record at the date of the death of the decedent and not including the property excepted from administration under section 649 of title 3, does not exceed the sum of \$1,000, and that the expenses of the last illness, funeral charges, and expenses of administration have been paid, it shall, by decree for that purpose, assign to the surviving spouse of the decedent, if there be a surviving spouse, or, if there be no surviving spouse, then to the minor child or children of the decedent, if any, the whole of the estate, subject to whatever mortgages, liens, or encumbrances there may be upon said estate at the time of the death of the decedent. The title thereto shall vest absolutely in the surviving spouse, if there be a surviving spouse, or if there be no surviving spouse, in the minor child or children subject to whatever mortgages, liens, or encumbrances there may be upon said estate at the time of the death of the decedent, and there must be no further proceedings in the administration, unless further estate be discovered.

"1470f. SAME; DENYING PETITION AND INSTEAD ACTING ON PETITION FOR PROBATE OR LETTERS.—If the court finds that the net value of the estate exceeds \$1,000, or that there is neither a surviving spouse nor minor child, it shall act upon the petition for probate or for letters of administration in the same manner as though no petition to set aside the estate had been included, and the estate shall then be administered in the usual manner."

SEC. 6. Section 1703 of title 4 of the Canal Zone Code is amended to read as follows:

"1703. ESTATES LESS THAN \$250.—Whenever the public administrator shall file with the clerk of the district court a statement that the value of any estate, of which he has taken charge, is less than \$250, there shall be no regular administration on such estate unless additional estate be found or discovered; and the public administrator may, after the payment of the expenses of the last illness of the deceased, and the funeral charges, pay out and deliver such estate to the surviving spouse of the decedent, if there be a surviving spouse, or, if there be no surviving spouse, then to the minor child or children of the decedent, if any, or, if there be neither a surviving spouse nor

minor child, then to such creditors, heirs, or other persons as may appear in the judgment of the public administrator to be legally entitled thereto, and the title to such estate shall vest absolutely in the person or persons to whom the same is paid out and delivered as provided in this section."

SEC. 7. Title 5 of the Canal Zone Code is amended by adding in article 8 of chapter 11 thereof a new section numbered 573 and reading as follows:

"573. REGULATIONS FOR FIRE PROTECTION; VIOLATIONS.—The Governor of the Panama Canal is granted continuing authority to make regulations for prevention of, and protection against, fires in the Canal Zone: *Provided, however,* That no regulation made under this section shall have force or effect within the boundaries of any military or naval reservation in the Canal Zone, unless prescribed with the concurrence of the officers commanding the military and naval forces in the Canal Zone, as to the reservations within their respective jurisdictions. Any person who shall violate any of the regulations prescribed under this section shall be guilty of a misdemeanor."

SEC. 8. Title 5 of the Canal Zone Code is amended by adding in article 10 of chapter 14 thereof a new section numbered 812 and reading as follows:

"812. INJURING OR TAMPERING WITH MOTOR VEHICLE, LAUNCH, OR AIRCRAFT.—Every person who, without the consent of the owner of any motor vehicle—

"(a) willfully injures or tampers with such motor vehicle or the contents thereof;

"(b) breaks or removes any part or parts of or from such motor vehicle;

"(c) climbs into or upon such motor vehicle whether it is in motion or at rest, with intent to commit any malicious mischief, or injury or other crime; or

"(d) manipulates or attempts to manipulate any of the levers, starting mechanism, brakes, or other mechanism or device of such motor vehicle while the same is at rest and unattended,

is guilty of a misdemeanor. As used in this section the term 'motor vehicle' shall mean and include any automobile, motorcycle, other motor vehicle, motorboat or launch, or aircraft."

SEC. 9. The following statutes or parts of statutes are repealed:

(a) Canal Zone Code, title 2, chapter 17, article 2, which article includes sections 331 to 333 of said title 2;

(b) Canal Zone Code, title 4, sections 1467 and 1468;

(c) The Act of May 3, 1932, entitled "An Act to authorize the modification of the boundary line between the Panama Canal Zone and the Republic of Panama, and for other purposes" (ch. 162, 47 Stat. 145; 48 U. S. C. 1304a to 1304c);

(d) The Act of June 19, 1934, entitled "An Act authorizing the President to make rules and regulations in respect to alcoholic beverages in the Canal Zone, and for other purposes" (ch. 657, 48 Stat. 1116; 48 U. S. C. 1314b to 1314d).

Approved August 10, 1949.

[CHAPTER 416]

AN ACT

To revive and reenact, as amended, the Act entitled "An Act creating the City of Clinton Bridge Commission and authorizing said commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Clinton, Iowa, and at or near Fulton, Illinois", approved December 21, 1944.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act

Exception.

"Motor vehicle."

Repeals.

48 U. S. C. § 1314e.

August 10, 1949
[S. 1577]

[Public Law 220]

Mississippi River.
Bridge at Clinton,
Iowa, and Fulton, Ill.