Public Law 87-669

September 19, 1962
[H. R. 75]

AN ACT

To amend section 2103 of title 28, United States Code, relating to appeals improvidently taken.

Supreme Court.
Appeals.
62 Stat. 962.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2103 of title 28, United States Code, is amended to read as follows:

"§ 2103. Appeal from State court or from a United States court of appeals improvidently taken regarded as petition for writ of certiorari

"If an appeal to the Supreme Court is improvidently taken from the decision of the highest court of a State, or of a United States court of appeals, in a case where the proper mode of a review is by petition for certiorari, this alone shall not be ground for dismissal; but the papers whereon the appeal was taken shall be regarded and acted on as a petition for writ of certiorari and as if duly presented to the Supreme Court at the time the appeal was taken. Where in such a case there appears to be no reasonable ground for granting a petition for writ of certiorari it shall be competent for the Supreme Court to adjudge to the respondent reasonable damages for his delay, and single or double costs."

SEC. 2. Item 2103 of the chapter analysis of chapter 133 title 28, United States Code, is amended to read as follows:

"2103. Appeal from State court or from a United States court of appeals improvidently taken regarded as petition for writ of certiorari."

Approved September 19, 1962.

Public Law 87-670

September 19, 1962
[H. R. 10195]

AN ACT

To validate payments of certain special station per diem allowances and certain basic allowances for quarters made in good faith to commissioned officers of the Public Health Service.

Public Health Service.
Payment of certain allowances, validation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following payments are validated: (1) payments of special station per diem allowances for quarters made before January 1, 1959, to commissioned officers of the Public Health Service having Alaska as their permanent duty station at the time of payment, which payments were not valid because the officers occupied Government rental quarters at less than their basic allowance for quarters, and (2) payments of basic allowances for quarters made before February 1, 1959, to commissioned officers of the Public Health Service occupying Government rental quarters at Indian health facilities, which payments were not valid because such quarters were adequate public quarters. Any commissioned officer or former commissioned officer who has made repayment to the United States of any amount so paid him as a station per diem allowance for quarters or a basic allowance for quarters may, upon his application within one year after the date of enactment of this Act, have refunded to him the amount so repaid. Any appropriation that was available for the payment of salaries of commissioned officers of the Public Health Service at any time during the years 1955 through 1959 is available for the payments of the refunds authorized by this Act.

Approved September 19, 1962.

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