

February 16, 1929.
[H. J. Res. 304.]
[Pub. Res., No. 86.]

CHAP. 229.—Joint Resolution Providing for the observance and commemoration of the one hundred and fiftieth anniversary of the death of Brigadier General Casimir Pulaski, and establishing a commission to be known as the United States Pulaski Sesquicentennial Commission

Pulaski Sesquicentennial Commission.
Composition of.

Filling vacancies.

No Federal pay
therefor.

Cooperation for observance in the United States, of 150th anniversary of death of Brigadier General Casimir Pulaski.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a commission to be known as the United States Pulaski Sesquicentennial Commission (hereinafter referred to as the commission) and to be composed of five commissioners as follows: One person to be appointed by the President of the United States, two Senators by the President of the Senate, and two Members of the House of Representatives by the Speaker of the House of Representatives. Any vacancy in the office of a commissioner shall be filled in the same manner as the original appointment. The commissioners shall serve without compensation therefor from the United States. The commission shall select a chairman from among its members.

SEC. 2. The commission is authorized to arrange in cooperation with any organization or society without cost to the United States an appropriate observance and commemoration to take place in the month of October, 1929, of the one hundred and fiftieth anniversary of the death of Brigadier General Casimir Pulaski, and to participate, on behalf of the United States, in such manner as it deems advisable, in any other observance or celebration of such anniversary which may be held in the United States during the year 1929.

Approved, February 16, 1929.

February 16, 1929.
[H. J. Res. 153.]
[Pub. Res., No. 87.]

CHAP. 230.—Joint Resolution For the contribution of the United States in the plans of the organization of the International Society for the Exploration of the Arctic Regions by Means of the Airship.

International Society for Exploration of Arctic Regions by Airship.
Annual contribution to, authorized.

Post, p. 1652.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in compliance with the recommendation of the President contained in his message of January 4, 1928, printed as House Document Numbered 133, Seventieth Congress, first session, an annual appropriation for five years of \$300 is hereby authorized as the contribution of the United States in the plans of the organization of the International Society for the Exploration of the Arctic Regions by Means of the Airship for the establishment of geophysical observations in the inner Arctic regions.

Approved, February 16, 1929.

February 18, 1929.
[S. 1271.]
[Public, No. 770.]

CHAP. 257.—An Act To more effectively meet the obligations of the United States under the migratory bird treaty with Great Britain by lessening the dangers threatening migratory game birds from drainage and other causes, by the acquisition of areas of land and of water to furnish in perpetuity reservations for the adequate protection of such birds; and authorizing appropriations for the establishment of such areas, their maintenance and improvement, and for other purposes.

Migratory Bird Conservation Act.

Migratory Bird Conservation Commission, created.

Composition and authority.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known by the short title of "Migratory Bird Conservation Act."

SEC. 2. That a commission to be known as the Migratory Bird Conservation Commission, consisting of the Secretary of Agriculture, as chairman, the Secretary of Commerce, the Secretary of the Interior, and two Members of the Senate, to be selected by the President of the Senate, and two Members of the House of Representatives to be selected by the Speaker, is hereby created and

authorized to consider and pass upon any area of land, water, or land and water that may be recommended by the Secretary of Agriculture for purchase or rental under this Act, and to fix the price or prices at which such area may be purchased or rented; and no purchase or rental shall be made of any such area until it has been duly approved for purchase or rental by said commission. Any Member of the House of Representatives who is a member of the commission, if reelected to the succeeding Congress, may serve on the commission notwithstanding the expiration of a Congress. Any vacancy on the commission shall be filled in the same manner as the original appointment. The ranking officer of the branch or department of a State to which is committed the administration of its game laws, or his authorized representative, and in a State having no such branch or department, the governor thereof, or his authorized representative, shall be a member *ex officio* of said commission for the purpose of considering and voting on all questions relating to the acquisition, under this Act, of areas in his State.

Ex officio members from the States.

SEC. 3. That the commission hereby created shall, through its chairman, annually report in detail to Congress, not later than the first Monday in December, the operations of the commission during the preceding fiscal year.

Annual detailed report to Congress.

SEC. 4. That the Secretary of Agriculture shall recommend no area for purchase or rental under the terms of this Act except such as he shall determine is necessary for the conservation of migratory game birds.

Areas necessary for conservation of birds to be procured.

SEC. 5. That the Secretary of Agriculture is authorized to purchase or rent such areas as have been approved for purchase or rental by the commission, at the price or prices fixed by said commission, and to acquire by gift or devise, for use as inviolate sanctuaries for migratory birds, areas which he shall determine to be suitable for such purposes, and to pay the purchase or rental price and expenses incident to the location, examination, and survey of such areas and the acquisition of title thereto, including options when deemed necessary by the Secretary of Agriculture, from moneys to be appropriated hereunder by Congress from time to time: *Provided*, That no lands acquired, held, or used by the United States for military purposes shall be subject to any of the provisions of this Act.

Purchase or rent of areas approved by the Commission for sanctuaries for migratory birds.

SEC. 6. That the Secretary of Agriculture may do all things and make all expenditures necessary to secure the safe title in the United States to the areas which may be acquired under this Act, but no payment shall be made for any such areas until the title thereto shall be satisfactory to the Attorney General, but the acquisition of such areas by the United States shall in no case be defeated because of rights of way, easements, and reservations which from their nature will in the opinion of the Secretary of Agriculture in no manner interfere with the use of the areas so encumbered for the purposes of this Act; but such rights of way, easements, and reservations retained by the grantor or lessor, from whom the United States receives title, shall be subject to rules and regulations prescribed from time to time by the Secretary of Agriculture for the occupation, use, operation, protection, and administration of such areas as inviolate sanctuaries for migratory birds; and it shall be expressed in the deed or lease that the use, occupation, and operation of such rights of way, easements, and reservations shall be subordinate to and subject to such rules and regulations.

Proviso. Use of military lands forbidden.

SEC. 7. That no deed or instrument of conveyance shall be accepted by the Secretary of Agriculture under this Act unless the State in which the area lies shall have consented by law to the acquisition by the United States of lands in that State.

Rights of way, etc., provision.

Consent of State required.

State jurisdiction not affected except for Federal offenses.

State game laws not interfered with.

Specified acts affecting property, etc., of game refuges forbidden.

Legal fishing not prevented.

Proviso. Compliance with regulation.

Migratory birds defined. Vol. 39, p. 1702.

Amounts authorized for all expenses. *Ante*, p. 1209. *Post*, p. 1634.

Yearly allotments.

For fiscal year 1940, and thereafter. Amount for administration, etc., expenses yearly.

SEC. 8. That the jurisdiction of the State, both civil and criminal, over persons upon areas acquired under this Act shall not be affected or changed by reason of their acquisition and administration by the United States as migratory bird reservations, except so far as the punishment of offenses against the United States is concerned.

SEC. 9. That nothing in this Act is intended to interfere with the operation of the game laws of the several States applying to migratory game birds in so far as they do not permit what is forbidden by Federal law.

SEC. 10. That no person shall knowingly disturb, injure, or destroy any notice, signboard, fence, building, ditch, dam, dike embankment, flume, spillway, or other improvement or property of the United States on any area acquired under this Act, or cut, burn, or destroy any timber, grass, or other natural growth, on said area or on any area of the United States which heretofore has been or which hereafter may be set apart or reserved for the use of the Department of Agriculture as a game refuge or as a preserve or reservation and breeding ground for native birds, under any law, proclamation, or Executive order, or occupy or use any part thereof, or enter thereon for any purpose, except in accordance with regulations of the Secretary of Agriculture; nor shall any person take any bird, or nest or egg thereof on any area acquired under this Act, except for scientific or propagating purposes under permit of the Secretary of Agriculture; but nothing in this Act or in any regulation thereunder shall be construed to prevent a person from entering upon any area acquired under this Act for the purpose of fishing in accordance with the law of the State in which such area is located: *Provided*, That such person complies with the regulations of the Secretary of Agriculture covering such area.

SEC. 11. That for the purposes of this Act, migratory birds are those defined as such by the treaty between the United States and Great Britain for the protection of migratory birds concluded August 16, 1916.

SEC. 12. For the acquisition, including the location, examination, and survey, of suitable areas of land, water, or land and water, for use as migratory bird reservations, and necessary expenses incident thereto, and for the administration, maintenance, and development of such areas and other preserves, reservations, or breeding grounds frequented by migratory game birds and under the administration of the Secretary of Agriculture, including the construction of dams, dikes, ditches, flumes, spillways, buildings, and other necessary improvements, and for the elimination of the loss of migratory birds from alkali poisoning, oil pollution of waters, or other causes, for cooperation with local authorities in wild life conservation, for investigations and publications relating to North American birds, for personal services, printing, engraving, and issuance of circulars, posters, and other necessary matter and for the enforcement of the provisions of this Act, there are authorized to be appropriated, in addition to all other amounts authorized by law to be appropriated, the following amounts for the fiscal years specified—

\$75,000 for the fiscal year ending June 30, 1930;

\$200,000 for the fiscal year ending June 30, 1931;

\$600,000 for the fiscal year ending June 30, 1932;

\$1,000,000 for the fiscal year ending June 30, 1933;

\$1,000,000 for each fiscal year thereafter for a period of six years;

and

\$200,000 for the fiscal year ending June 30, 1940, and for each fiscal year thereafter. Not more than 20 per centum of the amounts appropriated pursuant to this authorization for the fiscal year beginning July 1, 1930, and for each fiscal year to and including the

fiscal year ending June 30, 1939, shall be expended for personal services in the District of Columbia and elsewhere incident to the administration and maintenance of acquired areas, printing, engraving, and issuance of circulars and posters. No part of any appropriation authorized by this section shall be used for payment of the salary, compensation, or expenses of any United States game protector, except reservation protectors for the administration, maintenance, and protection of such reservations and the birds thereon: *Provided*, That reservation protectors appointed under the provisions of this Act shall be selected, when practicable, from qualified citizens of the State in which they are to be employed. The Secretary of Agriculture is authorized and directed to make such expenditures and to employ such means, including personal services in the District of Columbia and elsewhere, as may be necessary to carry out the foregoing objects.

Payments only to reservation protectors.

SEC. 13. That for the efficient execution of this Act, the judges of the several courts established under the laws of the United States, United States commissioners, and persons appointed by the Secretary of Agriculture to enforce this Act, shall have, with respect thereto, like powers and duties as are conferred by section 5 of the Migratory Bird Treaty Act (title 16, section 706 of the United States Code) upon said judges, commissioners, and employees of the Department of Agriculture appointed to enforce the Act last aforesaid. Any bird, or part, nest or egg thereof, taken or possessed contrary to this Act, when seized shall be disposed of as provided by section 5 of said Migratory Bird Treaty Act.

Proviso.
Selection of citizens of the States for protectors.

Authority of Secretary of Agriculture.

Jurisdiction of Federal courts, etc.

SEC. 14. That any person, association, partnership, or corporation who shall violate or fail to comply with any of the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than \$10 nor more than \$500, or be imprisoned not more than six months, or both.

Vol. 40, p. 756.
U. S. Code, p. 436.

SEC. 15. That for the purposes of this Act the word "take" shall be construed to mean pursue, hunt, shoot, capture, collect, kill, or attempt to pursue, hunt, shoot, capture, collect, or kill, unless the context otherwise requires.

Disposal of seized birds, etc.

SEC. 16. Nothing in this Act shall be construed as authorizing or empowering the Migratory Bird Conservation Commission herein created, the Secretary of Agriculture, or any other board, commission, or officer, to declare, withdraw, or determine, except heretofore designated, any part of any national forest or power site, a migratory bird reservation under any of the provisions of this Act, except by and with the consent of the legislature of the State wherein such forest or power site is located.

Comprehensive meaning of word "take."

SEC. 17. That when any State shall, by suitable legislation, make provision adequately to enforce the provisions of this Act and all regulations promulgated thereunder, the Secretary of Agriculture may so certify, and then and thereafter said State may cooperate with the Secretary of Agriculture in the enforcement of this Act and the regulations thereunder.

Consent of State required for designating in any national forest or power site.

SEC. 18. That a sum sufficient to pay the necessary expenses of the commission and its members, not to exceed an annual expenditure of \$5,000, is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated. Said appropriation shall be paid out on the audit and order of the chairman of said commission, which audit and order shall be conclusive and binding upon the General Accounting Office as to the correctness of the accounts of said commission.

Cooperation of a State by legislation, in enforcing Act, etc.

Sum authorized for commission expenses.
Post, p. 1634.

Order of chairman conclusive.

Invalidity of any provision, etc., not to affect remainder of Act.

Act effective on approval.

SEC. 19. That if any provision of this Act or the application thereof to any person or circumstance is held invalid the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

SEC. 20. That this Act shall take effect upon its passage and approval.

Approved, February 18, 1929.

February 18, 1929.

[S. 1281.]

[Public, No. 771.]

CHAP. 258.—An Act To amend section 7 (a) of the Act of March 3, 1925 (Forty-third Statutes, page 1119), as amended by section 2 of the Act of July 3, 1926 (Forty-fourth Statutes, page 812), so as to provide operators' permits free of cost to enlisted men of the Army, Navy, Marine Corps, and Coast Guard operating Government-owned vehicles in the District of Columbia.

District of Columbia Traffic Act, 1925. Operators' permits.

Vol. 43, p. 1121.
Vol. 44, p. 814, amended.

Issue without charge to enlisted men of Army, etc., operating Government vehicles on official business.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 (a) of the Act known as the "District of Columbia Traffic Act, 1925," approved March 3, 1925 (Forty-third Statutes, page 1119), as amended by section 2 of the Act of July 3, 1926 (Forty-fourth Statutes, page 812), be, and the same is hereby, amended by adding at the end thereof the following proviso: *Provided*, That enlisted men of the Army, Navy, Marine Corps, and Coast Guard shall be issued, without charge, a permit to operate Government-owned vehicles, while engaged in official business, upon the presentation of a certificate from their commanding officers to the effect that they are assigned to operate a Government vehicle and are qualified to drive, and upon proving to the satisfaction of the director of traffic that they are familiar with the traffic regulations of the District of Columbia.*

Approved, February 18, 1929.

February 18, 1929.

[S. 4441.]

[Public, No. 772.]

CHAP. 259.—An Act To amend the laws relating to assessment and collection of taxes in the District of Columbia, and for other purposes.

District of Columbia. Remedies for collecting taxes on personal property available for intangible taxes.

All common-law, etc., remedies also available for all taxes.

Real estate levied for personal taxes may be sold under equity decree if price offered at auction insufficient for taxes, etc.

Taxable motor vehicles assessed at value as of January 1, each year.

First assessment at one-half rate, from July 1 to December 1.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the remedies provided in the Act of July 1, 1902, for the collection of taxes on tangible personal property, shall be available also for the collection of taxes on intangible property.

In addition to the statutory remedies, all common-law and all equitable remedies shall also be available, either separately or concurrently with statutory remedies, as may be deemed advisable, for the collection of all taxes and special assessments of any kind whatsoever.

SEC. 2. Where real estate is levied upon for the nonpayment of personal taxes of any kind, and the best price offered at an auction sale is not sufficient to pay taxes, interest, and penalties, said real estate may be sold under decree of the equity court as provided by law.

SEC. 3. From and after the close of the current calendar year, motor vehicles taxable by the District of Columbia shall be assessed at their value as of January 1, each year, by the Board of Personal Tax Appraisers, subject to revision on appeal by the Board of Personal Tax Appeals, at the rate fixed for the taxation of other tangible personal property for the fiscal year ending the following June 30. The first assessment made under this section shall be at one-half such rate, to cover only the period from the following July 1 to