

sons, firms, or corporations to whom it has mailed or otherwise delivered a copy of said notice of appeal.

“(c) Within thirty days after the filing of said appeal any interested person, firm, or corporation may intervene and participate in the proceedings had upon said appeal by filing with the court a notice of intention to intervene and a verified statement showing the nature of the interest of such party, together with proof of service of true copies of said notice and statement, both upon appellant and upon the commission. Any person, firm, or corporation who would be aggrieved or whose interests would be adversely affected by a reversal or modification of the decision of the commission complained of shall be considered an interested party.

“(d) At the earliest convenient time the court shall hear and determine the appeal upon the record before it, and shall have power, upon such record, to enter a judgment affirming or reversing the decision of the commission, and, in event the court shall render a decision and enter an order reversing the decision of the commission, it shall remand the case to the commission to carry out the judgment of the court: *Provided, however,* That the review by the court shall be limited to questions of law and that findings of fact by the commission, if supported by substantial evidence, shall be conclusive unless it shall clearly appear that the findings of the commission are arbitrary or capricious. The court’s judgment shall be final, subject, however, to review by the Supreme Court of the United States upon writ of certiorari on petition therefor under section 347 of title 28 of the Judicial Code by appellant, by the commission, or by any interested party intervening in the appeal.

“(e) The court may, in its discretion, enter judgment for costs in favor of or against an appellant, and/or other interested parties intervening in said appeal, but not against the commission, depending upon the nature of the issues involved upon said appeal and the outcome thereof: *Provided, however,* That this section shall not relate to or affect appeals which were filed in said Court of Appeals prior to the enactment of this amendment.”

Approved, July 1, 1930.

Intervention, etc., of interested persons.

Interested person, etc., defined.

Early action by court.

Proviso.
Scope of review by court.

Finality of judgment.

Judgment for costs.

Proviso.
Appeals taken prior to provisions herein not affected.

CHAP. 801.—An Act To amend the Act entitled “An Act to regulate interstate transportation of black bass, and for other purposes,” approved May 20, 1926.

July 2, 1930.

[S. 941.]

[Public, No. 495.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled “An Act to regulate the interstate transportation of black bass, and for other purposes,” approved May 20, 1926 (U. S. C., Sup. III, title 16, secs. 851–856), is amended to read as follows:

“That when used in this Act the word ‘person’ includes company, partnership, corporation, association, and common carrier.

“SEC. 2. It shall be unlawful for any person to deliver or knowingly receive for transportation, or knowingly to transport, by any means whatsoever, from any State, Territory, or the District of Columbia, to or through any other State, Territory, or the District of Columbia, or to or through any foreign country, any large-mouth black bass (*Micropterus salmoides*) or any small-mouth black bass (*Micropterus dolomieu*), if (1) such transportation is contrary to the law of the State, Territory, or the District of Columbia from which such black bass is or is to be transported, or (2) such black bass has been either caught, killed, taken, sold, purchased, possessed, or transported, at any time, contrary to the law of the State, Territory,

Black bass.
Vol. 44, p. 576,
amended.
U. S. C., Supp. IV,
p. 182.
Post, p. 1565.

“Person”, defined.

Interstate, etc., transportation of, unlawful.

If contrary to laws of State, etc., of origin.

If illegally caught, etc.

Acceptance prohibited.	or the District of Columbia in which it was caught, killed, taken, sold, purchased, or possessed, or from which it was transported; and no person shall knowingly purchase or receive any such black bass which has been transported in violation of the provisions of this Act; nor shall any person receiving any shipment of black bass transported in interstate commerce make any false record or render a false account of the contents of such shipment.
False records.	
Marking container for shipping.	<p>“SEC. 3. Any package or container containing such black bass transported or delivered for transportation in interstate commerce, except any shipment covered by section 9, shall be clearly and conspicuously marked on the outside thereof with the name ‘Black Bass,’ an accurate statement of the number of such fish contained therein, and the names and addresses of the shipper and consignee.</p>
Shipments subject to local laws upon reaching destination.	<p>“SEC. 4. All such black bass transported into any State, Territory, or the District of Columbia for use, consumption, sale, or storage therein, shall upon arrival in such State, Territory, or the District of Columbia be subject to the operation and effect of the laws of such State, Territory, or the District of Columbia to the same extent and in the same manner as though such fish had been produced in such State, Territory, or the District of Columbia, and shall not be exempt therefrom by reason of being introduced therein in original packages or otherwise.</p>
Expenditures for personal services, cooperation with local, etc., authorities, etc.	<p>“SEC. 5. The Secretary of Commerce is authorized (1) to make such expenditures, including expenditures for personal services at the seat of government and elsewhere, and for cooperation with local, State, and Federal authorities, including the issuance of publications, and necessary investigations, as may be necessary to execute the functions imposed upon him by this Act and as may be provided for by Congress from time to time; and (2) to make such regulations as he deems necessary to carry out the purposes of this Act. Any person violating any such regulation shall be deemed guilty of a violation of this Act.</p>
Regulations.	
Force of.	
Power of enforcing personnel.	<p>“SEC. 6. (a) Any employee of the Department of Commerce authorized by the Secretary of Commerce to enforce the provisions of this Act (1) shall have power, without warrant, to arrest any person committing in the presence of such employee a violation of this Act or any regulation made in pursuance of this Act, and to take such person immediately for examination or trial before an officer or court of competent jurisdiction; (2) shall have power to execute any warrant or other process issued by an officer or court of competent jurisdiction to enforce the provisions of this Act or regulations made in pursuance thereof; and (3) shall have authority, with a search warrant issued by an officer or court of competent jurisdiction, to make search in accordance with the terms of such warrant. Any judge of a court established under the laws of the United States or any United States commissioner may, within his respective jurisdiction, upon proper oath or affirmation showing probable cause, issue warrants in all such cases.</p>
To make arrests for violations.	
To execute warrants, etc.	
To make search.	
Issue of warrants.	
Seizure and forfeiture.	<p>“(b) All fish delivered for transportation or which have been transported, purchased, received, or which are being transported, in violation of this Act or any regulations made pursuant thereto, shall, when found by such employee or by any marshal or deputy marshal, be summarily seized by him and placed in the custody of such persons as the Secretary of Commerce shall by regulations prescribe, and shall, as a part of the penalty and in addition to any fine or imprisonment imposed under section 7 of this Act, be forfeited by such court to the United States upon conviction of the offender under this Act, or upon judgment of the court that the same were transported, delivered, purchased, or received in violation of this Act or regulations made pursuant thereto.</p>

"SEC. 7. In addition to any forfeiture herein provided, any person who shall violate any of the provisions of this Act shall, upon conviction thereof, be punished by a fine not exceeding \$200, or imprisonment for a term of not more than three months, or by both such fine and imprisonment, in the discretion of the court.

Penalty provisions.

"SEC. 8. Nothing in this Act shall be construed to prevent the several States and Territories from making or enforcing laws or regulations not inconsistent with the provisions of this Act, or from making or enforcing laws or regulations which shall give further protection to large-mouth and small-mouth black bass.

State laws.

"SEC. 9. Nothing in this Act shall be construed to prevent the shipment in interstate commerce of live fish and eggs for breeding or stocking purposes."

Fish, etc., for breeding, etc., purposes.

Approved, July 2, 1930.

CHAP. 802.—An Act To legalize a pier and wharf at the southerly end of Port Jefferson Harbor, New York.

July 2, 1930.
[H. R. 11729.]
[Public, No. 496.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the pier and wharf owned by Edward Post Bayles and his wife, Mary L. Bayles, located on the north side of Surf Avenue, Port Jefferson, Long Island, and at the southerly end of Port Jefferson Harbor, Suffolk County, New York, be, and the same is hereby, legalized to the same extent and with like effect as to all existing or future laws and regulations of the United States as if the permit required by the existing laws of the United States in such cases made and provided had been regularly obtained prior to the erection of said pier and wharf: *Provided,* That any changes in said pier which the Secretary of War may deem necessary and order in the interest of navigation shall be promptly made by the owners thereof.

Port Jefferson Harbor, N. Y.
Pier, etc., at, owned by Edward Post Bayles, etc., legalized.

Proviso.
Repairs.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, July 2, 1930.

CHAP. 803.—An Act To apply the pension laws to the Coast Guard.

July 2, 1930.
[H. R. 12099.]
[Public, No. 497.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of sections 4692, 4693, 4702, and 4703, Revised Statutes of the United States, with subsequent amendatory Acts, commonly known as the general pension law, be extended to the officers and enlisted men of the Coast Guard and their widows, children, and other dependents, under the same regulations and restrictions as are or may be provided by law with respect to officers and enlisted men of the Army and Navy.

Coast Guard.
Provisions of general pension law extended to members, etc., of R. S., secs. 4692, 4693, p. 913; secs. 4702, 4703, p. 916.
U. S. C., pp. 1198, 1201.

Claims allowed.

SEC. 2. The benefits provided by this Act shall include claims for pension based upon diseases contracted, or death or injury incurred, in service and in line of duty, from and after the date of approval of this Act: *Provided, however,* That the date of commencement of pension granted hereunder shall commence from date of filing application in the Bureau of Pensions, under such rules and regulations as the Secretary of the Interior may prescribe.

Proviso.
When pension commences.
Post, p. 1016.

SEC. 3. That no claim agent or attorney or other person shall contract for, demand, receive, or retain a fee of more than \$10 for services in preparing, presenting, or prosecuting a claim for original pension under this Act; and no more than \$2 in a claim for increase

Attorney's fees.
Post, p. 1016.