

[CHAPTER 9]

AN ACT

To permit the further extension of the Air Mail Service.

January 14, 1938
[H. R. 6628]
[Public, No. 420]

Air Mail Act of 1934,
amendment.
49 Stat. 615.
39 U. S. C., Supp.
III, § 469a (f).
Post, pp. 219, 1029.

Mileage limitation,
etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of subsection (f) of section 3 of the Act entitled "An Act to revise air-mail laws, and to establish a commission to make a report to the Congress recommending an aviation policy", approved June 12, 1934, as amended (U. S. C., 1934 edition, Supp. II, title 39, sec. 469a (f)), is amended to read as follows:

"(f) The Postmaster General shall not award contracts for air-mail routes or extend such routes in excess of an aggregate of thirty-five thousand miles, and shall not pay for air-mail transportation on such routes and extensions in excess of an annual aggregate of fifty-two million airplane-miles."

Approved, January 14, 1938.

[CHAPTER 10]

AN ACT

To permit the printing of black-and-white illustrations of United States and foreign postage stamps for philatelic purposes.

January 27, 1938
[S. 2550]
[Public, No. 421]

Postage stamps.
Printing of black
and white illustrations
of U. S. and foreign,
permitted.
Printing and sale as
a public document.

Provisos.
Stereotype, etc.,
plates to remain prop-
erty of U. S.
28 Stat. 608.
44 U. S. C. § 58.

Copyright.
35 Stat. 1077.
17 U. S. C. § 7.

Designated acts
not deemed vio-
lations of Criminal
Code, etc.
42 Stat. 1437.
18 U. S. C. § 350.

Printing, etc., of for-
eign revenue stamps
from defaced plates.

Foreign postage
stamps.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General shall prepare, in such form and at such times as he shall deem advisable, and, upon his request, the Public Printer shall print as a public document to be sold by the Superintendent of Documents, illustrations in black and white of postage stamps of the United States, together with such descriptive, historical, and philatelic information with regard to such stamps as the Postmaster General may deem suitable: *Provided*, That notwithstanding the provisions of section 52 of the Act of January 12, 1895 (U. S. C., 1934 edition, title 44, sec. 58), stereotype or electrotype plates, or duplicates thereof, used in the publications authorized to be printed by this section shall not be sold or otherwise disposed of but shall remain the property of the United States: *And provided further*, That notwithstanding the provisions of section 7 of the Copyright Act of March 4, 1909 (U. S. C., 1934 edition, title 17, sec. 7), or any other provision of law, copyright may be secured by the Postmaster General on behalf of the United States in the whole or any part of the publication authorized by this section.

SEC. 2. The Act of March 3, 1923 (U. S. C., 1934 edition, title 18, sec. 350), is amended to read as follows: "That (a) nothing in sections 161, 172, and 220 of the Criminal Code, as amended, or in any other provision of law, shall be construed to forbid or prevent the printing, publishing, or importation, or the making or importation of the necessary plates for such printing or publishing, for philatelic purposes in articles, books, journals, newspapers, or albums (including the circulars or advertising literature of legitimate dealers in stamps or publishers of or dealers in philatelic or historical articles, books, journals, or albums), of black and white illustrations of—

"(1) foreign revenue stamps if from plates so defaced as to indicate that the illustrations are not adapted or intended for use as stamps;

"(2) foreign postage stamps; or

"(3) such portion of the border of a stamp of the United States as may be necessary to show minor distinctive features of the stamp so illustrated, but all such illustrations shall be at least four times as large as the portion of the original United States stamp so illustrated.

"(b) Notwithstanding any other provision of law, the Secretary of the Treasury, subject to the approval of the President, may, upon finding that no hindrance to the suppression of counterfeiting and no tendency to bring into disrepute any obligation or other security of the United States will result, by regulations, permit, to the extent and under such conditions as he may deem appropriate, the printing, publishing or importation or the making or importation of the necessary plates for such printing or publishing, for philatelic purposes in articles, books, journals, newspapers, or albums (including the circulars or advertising literature of legitimate dealers in stamps or publishers of or dealers in philatelic or historical articles, books, journals, or albums), of black and white illustrations of canceled or uncanceled United States postage stamps. The Secretary, subject to the approval of the President, may amend or repeal such regulations at any time. Such regulations, and any amendment or repeal thereof, shall become effective upon publication thereof in the Federal Register or upon such date as may be specified therein if later than the date of publication. All findings of fact made hereunder shall be final and conclusive and shall not be subject to review."

SEC. 3. Section 147 of the Criminal Code is hereby amended by striking out the period at the end thereof and adding a comma and the following: "and canceled United States stamps."

SEC. 4. Section 172 of the Criminal Code is hereby amended by the addition of the following new paragraph at the end thereof:

"Except as to counterfeits, material, and apparatus referred to in the preceding paragraph, all articles and devices and any other thing whatsoever made, possessed, or in any manner used in violation of any of the provisions of chapter 7 or sections 205, 218, 219, or 220 of chapter 8 of the Criminal Code, or the Act of August 26, 1935 (U. S. C., 1934 edition, title 18, ch. 7, and secs. 328, 347, 348, 349, and 349a, ch. 8), as amended, or in respect to which a violation of any such provision has occurred, and all material or apparatus fitted or intended to be used, or that shall have been used, in the making of such articles, devices, or other things, that shall be found in the possession of any person without authority from the Secretary of the Treasury or other proper officer to have the same, shall be taken possession of by any authorized agent of the Treasury Department and forfeited to the United States and disposed of in any manner the Secretary of the Treasury may direct. Whoever having the custody or control of any such articles, devices, or other things, material, or apparatus shall fail or refuse to surrender possession thereof upon request by any such authorized agent of the Treasury Department shall be fined not more than \$100 or imprisoned not more than one year, or both. Whenever any person interested in any article, device, or other thing, or material or apparatus seized under this paragraph files with the Secretary of the Treasury, before the disposition thereof, a petition for the remission or mitigation of such forfeiture, the Secretary of the Treasury, if he finds that such forfeiture was incurred without willful negligence or without any intention on the part of the petitioner to violate the law, or finds the existence of such mitigating circumstances as to justify the remission or the mitigation of such forfeiture, may remit or mitigate the same upon such terms and conditions as he deems reasonable and just."

Approved, January 27, 1938.

Border of U. S. stamps for illustrations.

Increased size.

Permission, under regulations, to print, etc., illustrations of U. S. postage stamps.

Amendment or repeal; publication in Federal Register.

Findings not subject to review.

Criminal Code amendments.
U. S. obligations; canceled U. S. stamps included.

35 Stat. 1115.
18 U. S. C. § 261.
Forfeiture of articles, etc., in respect to which violation hereunder has occurred.

35 Stat. 1121.
18 U. S. C. § 286.
35 Stat. 1127, 1131, 1132; 49 Stat. 866.
18 U. S. C. §§ 261-293, 328, 347-349; Supp. III, § 349a.

Penalty provisions.

Remission or mitigation of forfeiture.