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[CHAPTER 635]

August 10, 1939
[S. 882]
[Public, No. 363]

AN ACT

To authorize the Postmaster General to contract for certain powerboat service in Alaska, and for other purposes.

Postal service, Alaska.
Contracts for certain powerboat service, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General may, in his discretion, contract for a period of not exceeding four years, without advertisement therefor, for the carriage of all classes of mail, by steamboat or other powerboat of United States registry, on the route from Seward, by points on Kenai Peninsula, Kodiak Island, Alaska Peninsula, the Aleutian Islands to Umnak Island, and points on Bristol Bay, Alaska, and vicinity, and back, by a schedule and under the conditions prescribed by the Postmaster General; the contractor to furnish and use in the service a safe and seaworthy boat of sufficient size to provide adequate space for mail, passengers, and freight, the annual cost not to exceed $125,000, payment therefor to be made from the appropriation for powerboat service.

Annual cost; limitation.

Approved, August 10, 1939.

[CHAPTER 636]

August 10, 1939
[S. 1540]
[Public, No. 364]

AN ACT

To adjust the compensation of the members of the National Advisory Health Council not in the regular employment of the Government.

National Advisory Health Council.
Adjustment of compensation of certain members.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the members of the National Advisory Health Council not in the regular employment of the Government, appointed in accordance with section 5 of the Act approved July 1, 1902 (32 Stat. 713), and section 13 of the Act approved April 9, 1930 (46 Stat. 152; U. S. C., title 42, sec. 21), shall, while serving in conference, each receive compensation at a rate to be fixed by the Federal Security Administrator but not to exceed $25 per diem. The Surgeon General of the Public Health Service is hereby authorized to utilize the services of any such member or members, in connection with conference matters, for such periods in addition to the conference period as he may determine; and any such member or members shall receive for each day of such service compensation at a rate to be fixed by the Federal Security Administrator but not to exceed $25 per diem, together with allowances for actual and necessary traveling expenses and hotel expenses while so employed. Nothing contained in this Act shall be construed as affecting the allowances for travel and other expenses to which members of the National Advisory Health Council may be entitled by law.

32 Stat. 713; 46 Stat. 152.
42 U. S. C. § 21.
Limitation.

Utilization of members' services additional to conference periods.

Compensation and allowances.

Regular travel, etc., expenses not affected.

Approved, August 10, 1939.

[CHAPTER 637]

August 10, 1939
[S. 2242]
[Public, No. 365]

AN ACT

Creating the Memphis and Arkansas Bridge Commission; defining the authority, power, and duties of said Commission; and authorizing said Commission and its successors and assigns to construct, maintain, and operate a bridge across the Mississippi River at or near Memphis, Tennessee; and for other purposes.

Mississippi River.
Bridge authorized across, at Memphis, Tenn.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the Memphis and Arkansas Bridge

Commission (hereinafter created, and hereinafter referred to as the "Commission"), and its successors and assigns be, and are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto, across the Mississippi River at or near the city of Memphis, Tennessee, at a point suitable to the interest of navigation, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, subject to the conditions and limitations contained in this Act.

34 Stat. 84.
33 U. S. C. §§ 491-498.

SEC. 2. There is hereby conferred upon the Commission and its successors and assigns the right and power to enter upon such lands and to acquire, condemn, occupy, possess, and use such real estate and other property in the State of Arkansas and the State of Tennessee, as may be needed for the location, construction, operation, and maintenance of any such bridge and its approaches, upon making just compensation therefor, to be ascertained and paid according to the laws of the State in which such real estate or other property is situated, and the proceedings therefor shall be the same as in the condemnation of private property for public purposes in said State, respectively. The Commission, its successors, and assigns are further authorized to enter into agreements with the States of Arkansas and Tennessee, and any political subdivision thereof, for the acquisition, lease, or use of any lands or property owned by such State or political subdivision.

Right to acquire real estate, etc.

SEC. 3. The Commission and its successors and assigns are hereby authorized to provide for the payment of the cost of such bridge as may be constructed, as provided herein, and approaches (including the approach highways which, in the judgment of the Commission, it is necessary or advisable to construct or cause to be constructed to provide suitable and adequate connection with existing improved highways) and the necessary lands, easements, and appurtenances thereto by negotiating and entering into a contract or contracts with the State Highway Commission of Tennessee, the State Highway Commission of Arkansas, Shelby County, Tennessee, Crittenden County, Arkansas, the city of Memphis, Tennessee, or any other county or municipality in the States of Arkansas and Tennessee, whereby the Commission may receive financial aid in financing said project, and said Commission, in its discretion, may avail itself of all the facilities of the State Highway Commission of Tennessee, the State Highway Commission of the State of Arkansas, or any county or municipality in the State of Tennessee and the State of Arkansas, with regard to the construction of said bridge, and the Commission may make and enter into any contract or contracts which it deems expedient and proper with the State Highway Commission of the State of Tennessee, the State Highway Commission of the State of Arkansas, or any county or municipality in the State of Tennessee and the State of Arkansas, whereby said highway departments, municipalities, or counties, or either of them, may construct, operate, and maintain, or participate with the Commission in the construction, operation, and maintenance of said bridge constructed hereunder, and approaches thereto. It is hereby declared to be the purpose of Congress to facilitate the construction of a bridge and proper approaches across the Mississippi River at or near Memphis, Tennessee, and to authorize the Commission to promote said object and purpose, with full power to contract with either the State Highway Commission of Tennessee, the State Highway Commission of Arkansas, or any municipality or county in the States of Tennessee and Arkansas, or all of them, in relation to the construction, operation, and maintenance of said bridge and approaches.

Contracts authorized with certain commissions, etc., for aid in financing project.

Extension of Federal aid for construction, out of State allotments.

39 Stat. 355; 42 Stat. 212.
23 U. S. C. chs. 1, 2; Supp. IV, chs. 1, 2.

SEC. 4. Notwithstanding any restriction or limitation imposed by the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes", approved July 11, 1916, or by the Federal Highway Act, or by an Act amendatory of, or supplemental to either thereof, the Secretary of Agriculture, or any other Federal department or agency of the United States Government, may extend Federal aid under such Acts for the construction of said bridge out of any money allocated to the State of Tennessee with the consent of the State highway commission of said State, and out of money allocated to the State of Arkansas with the consent of the highway department of said State.

Memphis and Arkansas Bridge Commission created; powers.

SEC. 5. For the purpose of carrying into effect the objects stated in this Act, there is hereby created the Memphis and Arkansas Bridge Commission, and by that name, style, and title said body shall have perpetual succession, may contract, and be contracted with, sue and be sued, implead and be impleaded, complain and defend in all courts of law and equity; may make and have a common seal; may purchase or otherwise acquire and hold or dispose of real estate and other property; may accept and receive donations, grants, or gifts of money or property and apply the same to the purposes of this Act; and shall have and possess all powers necessary, convenient, or proper for carrying into effect the objects stated in this Act.

Membership of Commission.

The Commission shall consist of E. H. Crump, Senior, E. W. Hale, Senior, Clifford Davis, Frank R. Ahlgren, W. H. Jasspon, William B. Fowler, Frank Gailor, and Will Gerber all residents and citizens of the State of Tennessee; and J. O. E. Beck, Senior, J. C. Johnson, J. Land Williams, W. W. Campbell, C. R. Walton, A. C. Oliver, J. L. Shaver, and James Crane, all residents and citizens of the State of Arkansas. Such Commission shall be a body corporate and politic. Each member of the Commission shall qualify within thirty days after his appointment by filing in the office of the Administrator of the Federal Works Agency an oath that he will faithfully perform the duties imposed upon him by this Act, and each person appointed to fill a vacancy shall file in like manner within thirty days after his appointment.

Vacancies.

Any vacancy occurring in said Commission by reason of failure to qualify as above provided, or by reason of death or resignation, shall be filled by the Administrator of the Federal Works Agency, and in filling such vacancy the Administrator of the Federal Works Agency shall at all times make the appointment so that the respective States shall at all times have the same representation on said Commission as herein provided. The Commission shall elect a chairman and vice chairman from its members, and shall establish rules and regulations for the government of its own business. A majority of the members shall constitute a quorum for the transaction of business.

Secretary and other employees.

The Commission may employ a secretary, treasurer, engineers, attorneys, and such other experts, assistants, and employees as they may deem necessary, who shall be entitled to receive such compensation as the Commission may determine.

Payment of salaries and expenses.

All salaries and expenses shall be paid solely from the funds provided under the authority of this Act.

Dissolution of Commission.

SEC. 6. Within six months after completion of the bridge, the Commission shall be dissolved and shall cease to have further existence by an order of the Commissioner of the Public Roads Administration, made upon his own initiative or upon application of the Commission or any member or members thereof, but only after a public hearing in the city of Memphis, Tennessee, notice of time and place of which hearing and the purpose thereof shall have been published once, at least thirty days before the date hereof, in a newspaper published in the cities of Memphis, Tennessee, and Little Rock,

Arkansas. At the time of such dissolution all moneys in the hands of or to the credit of the Commission shall be divided and distribution made between the interests of the States as may be determined by the terms and provisions of the contract or contracts that may be entered into between the parties thereto.

Division of moneys in hands of Commission.

SEC. 7. Nothing herein contained shall be construed to authorize or permit the Commission or any member thereof to create or obligate or incur any liability other than such obligations and liabilities as are dischargeable solely from funds contemplated to be provided by this Act. No obligation created or liability incurred pursuant to this Act shall be a personal obligation or liability of any member or members of the Commission, nor shall any indebtedness created pursuant to this Act be an indebtedness of the United States.

Creation of other obligations.

No obligation to be a personal obligation.

SEC. 8. The design and construction of any bridge which may be built pursuant to this Act shall be in accordance with the standard specifications for highway bridges adopted by the American Association of State Highway Officials.

Design and construction.

SEC. 9. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, August 10, 1939.

[CHAPTER 638]

AN ACT

To prohibit the use of the mails for the solicitation of the procurement of divorces in foreign countries.

August 10, 1939
[S. 2245]
[Public, No. 366]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every written or printed card, circular, letter, book, pamphlet, advertisement, or notice of any kind, giving or offering to give information concerning where or how or through whom a divorce may be secured in a foreign country, and designed to solicit business in connection with the procurement thereof, is hereby declared to be nonmailable matter and shall not be conveyed in the mails or delivered from any post office or by any letter carrier. Whoever shall knowingly deposit, or cause to be deposited, for mailing or delivery, anything declared by this section to be nonmailable, or shall knowingly take or cause the same to be taken from the mails for the purpose of circulating or disposing thereof, shall be fined not more than $5,000 or imprisoned for not more than five years, or both.

Divorces in foreign countries.
Use of the mails for solicitation of procurement, prohibited.

Penalty.

SEC. 2. Nothing herein contained shall be construed to preclude criminal prosecution under the provisions of section 338, title 18, United States Code (Criminal Code, sec. 215), in any case in which the mails are used by any person in furtherance of any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises.

Criminal prosecution not precluded.
35 Stat. 1130.
18 U. S. C. § 338.

Approved, August 10, 1939.

[CHAPTER 639]

AN ACT

To amend the Act of June 15, 1936 (49 Stat. 1516), authorizing the extension of the boundaries of the Hot Springs National Park, in the State of Arkansas, and for other purposes.

August 10, 1939
[H. R. 3409]
[Public, No. 367]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso in the Act of June 15, 1936 (49 Stat. 1516), reading as follows: ": *Provided*, That the lands hereinabove described may be acquired within funds already appropriated and at a cost not to exceed $15,000", is hereby repealed, and the said Act of June 15, 1936, is

Hot Springs National Park, Ark.

49 Stat. 1516.
16 U. S. C., Supp. IV, § 361c.
Proviso repealed.