

[CHAPTER 48]

AN ACT

To repeal subsection (4) of subsection (c) of section 101 of the Agricultural Adjustment Act of 1938.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (4) of subsection (c) of section 101 of the Agricultural Adjustment Act of 1938, which reads as follows:

"(4) Notwithstanding any other provision of this subsection, if, for any reason other than flood or drought, the acreage of wheat, cotton, corn, or rice planted on the farm is less than 80 per centum of the farm acreage allotment for such commodity for the purpose of payment, such farm acreage allotment shall be 25 per centum in excess of such planted acreage"; is hereby repealed.

Approved, April 10, 1939.

April 10, 1939.

[S. 1363]

[Public, No. 30]

Agricultural Adjustment Act of 1938, subsection repealed. 52 Stat. 33. 16 U. S. C., Supp. IV, § 590h. Acreage planted less than allotment.

[CHAPTER 49]

JOINT RESOLUTION

Authorizing appropriation for expenses of a representative of the United States and of his assistants, and for one-half of the joint expenses of this Government and the Government of Mexico, in giving effect to the agreement of November 9-12, 1938, between the two Governments providing for the settlement of American claims for damages resulting from expropriations of agrarian properties since August 30, 1927.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to provide for the expenses of participation by the United States in the settlement, in pursuance of the agreement of November 9-12, 1938, of claims of citizens of the United States against the Government of Mexico on account of expropriations of agrarian properties since August 30, 1927, including personal services in the District of Columbia or elsewhere without reference to the Classification Act of 1923, as amended; rent of offices, electric service, drinking water, rooms and rent, and purchase of equipment for the use of the representative of the United States and his assistants, in addition, if deemed necessary by the Secretary of State, to the lawful per diem; stenographic, reporting, and translating services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); traveling expenses; communication service; purchase of law books and books of reference; transportation of things; printing and binding; office supplies; official cards; entertainment; expenses and honorarium of a neutral umpire in the event such an appointment is found necessary; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified: *Provided*, That any expenditures from the amount herein authorized to be appropriated shall become a first charge upon any moneys received from the Government of Mexico in settlement of the respective claims, and the amount of such expenditures shall be deducted from the first payment by the Mexican Government and deposited in the Treasury of the United States as miscellaneous receipts: *And provided further*, That the representative of the United States shall, upon the completion of his work, submit a report to the Secretary of State, attaching thereto (a) a statement of the expenses of himself, his assistants, and of the umpire, in case an umpire is designated, (b) a list of all claims rejected, (c) a list of all claims allowed in whole

April 10, 1939.

[S. J. Res. 46]

[Pub. Res., No. 8]

Expropriations of agrarian properties in Mexico. Appropriation authorized for expenses of participation in settlement of claims. *Post*, p. 1324.

Personal services. 5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.

Contract services without advertising. R. S. § 3709. 41 U. S. C. § 5.

Neutral umpire.

Reimbursement of other appropriations.

Provisos. Deduction of expenditures from first payment.

Report of U. S. representative; contents.

Certified copies to
Secretary of the Treas-
ury.
Payments in ratable
proportions.

or in part, together with the amount of each claim and the amount awarded thereon, and (d) a statement of the reasons for the allowance or disallowance in each case. Certified copies of (a) and (c) shall be transmitted by the Secretary of State to the Secretary of the Treasury, who shall, after making the deduction provided for above, distribute in ratable proportions, among the persons in whose favor awards shall have been made, or their assignees, heirs, executors or administrators of record, according to the proportions which their respective awards shall bear to the whole amount available from time to time for such distribution, such moneys as may have been received into the Treasury in virtue of the agreement of November 9-12, 1938.

Approved, April 10, 1939.

[CHAPTER 58]

AN ACT

To amend the Canal Zone Code.

April 12, 1939
[H. R. 3577]
[Public, No. 31]

Canal Zone Code,
amendment.
49 Stat. 1904.
48 U. S. C., Supp.
IV, § 1371c.

Disability retire-
ment of employees;
annuity.

Provisos.
Proof of conduct.

Reinstatement of
claims.

Limitation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first paragraph of subsection (b) of section 94 of title 2, Canal Zone Code, as amended by section 2 of the Act of June 24, 1936 (49 Stat. 1904), is amended to read as follows:

"(b) Any employee to whom this article applies who shall have served for a total period of not less than five years, and who, before becoming eligible for retirement under the conditions defined in section 92 of this title, shall have become totally disabled for useful and efficient service in the grade or class of position occupied by the employee, by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct on the part of the employee, shall upon his own application or upon request or order of the Governor of the Panama Canal, be retired on an annuity computed in accordance with the provisions of section 96 of this title: *Provided*, That proof of freedom from vicious habits, intemperance, or willful misconduct for a period of more than five years next prior to becoming so disabled for useful and efficient service, shall not be required in any case; and the claim of any employee which was or would have been disallowed under this section by reason of the requirement of such proof with respect to a longer period than five years, shall upon request of the applicant be reinstated, and shall thereupon be redetermined under the provisions of the section as herein amended: *Provided further*, That such claim is now on file with the Civil Service Commission or is executed within six months from the enactment of this Act.

Approved, April 12, 1939.

[CHAPTER 59]

AN ACT

Relating to the taxation of the compensation of public officers and employees.

April 12, 1939
[H. R. 3790]
[Public, No. 32]

Public Salary Tax
Act of 1939.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Public Salary Tax Act of 1939".

TITLE I

"Gross income", def-
inition amended.
Ante, p. 9.
I. R. C. § 22 (a).

SECTION 1. Section 22 (a) of the Internal Revenue Code (relating to the definition of "gross income") is amended by inserting after the words "compensation for personal service" the following: ("including personal service as an officer or employee of a State, or any