

Liability of certifying officer.

SEC. 2. No charge shall be made against the certifying officer for the amount of any payment for which credit shall be allowed under the preceding section where the Commissioner of Work Projects or his duly authorized representative certifies that the payment appears to have been made without fraud or collusion on the part of the certifying officer.

Approved, October 9, 1940.

[CHAPTER 783]

AN ACT

October 9, 1940
[S. 4258]
[Public, No. 815]

To remove the restriction placed upon the use of certain lands acquired in connection with the expansion of Mitchel Field, New York.

Mitchel Field, N.Y.
Removal of restriction on use of land.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the item contained in the Act of Congress approved July 1, 1937 (50 Stat. 452), entitled "An Act making appropriations for the Military Establishment for the fiscal year ending June 30, 1938, and for other purposes", providing for the acquisition of land in the vicinity of Mitchel Field, New York, three hundred and forty-two acres, more or less, to be used exclusively for runways, \$500,000, is hereby amended so as to remove the restriction thereby placed on the use of the land so authorized to be acquired: *Provided*, That the use of said land for any other purpose shall in no way interfere with the effective use of the runways placed thereon.

Proviso.
Noninterference with use of runways.

Approved, October 9, 1940.

[CHAPTER 784]

AN ACT

October 9, 1940
[S. 4316]
[Public, No. 816]

To repeal sections 4588 and 4591 of the Revised Statutes of the United States.

R. S. §§ 4588, 4591,
repeal.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 4588 and 4591 of the Revised Statutes of the United States (U. S. C., title 46, secs. 686 and 687) be, and they are hereby, repealed.

Seamen's certificates.

SEC. 2. All certificates heretofore issued to seamen under the authority of section 4588 of the Revised Statutes of the United States are hereby declared void.

Approved, October 9, 1940.

[CHAPTER 785]

AN ACT

October 9, 1940
[H. R. 1909]
[Public, No. 817]

To confer jurisdiction upon certain United States commissioners to try petty offenses committed on Federal reservations.

U. S. commissioners.
Jurisdiction to try petty offenses.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any United States commissioner specially designated for that purpose by the court by which he was appointed shall have jurisdiction to try and, if found guilty, to sentence persons charged with petty offenses against the law, or rules and regulations made in pursuance of law, committed in any place over which the Congress has exclusive power to legislate or over which the United States has concurrent jurisdiction, and within the judicial district for which such commissioner was appointed. The probation laws shall be applicable to persons so tried before United States commissioners. For the purposes of this Act the term "petty offense" shall be defined as in section 335 of the Criminal Code (U. S. C., title 18, sec. 541). If any person charged with such petty offense shall so elect, however, he shall be tried in the district court of the United States which has jurisdiction

Probation laws.
"Petty offense" defined.
46 Stat. 1029.
Right of defendant to be tried in district court of U. S.

over the offense. The commissioner before whom the defendant is arraigned shall apprise the defendant of his right to make such election and shall not proceed to try the case unless the defendant after being so apprised, signs a written consent to be tried before the commissioner.

SEC. 2. In all cases of conviction by United States commissioners an appeal shall lie from the judgment of the commissioner to the district court of the United States for the district in which the offense was committed. The Supreme Court shall prescribe rules of procedure and practice for the trial of cases before commissioners and for taking and hearing of appeals to the said district courts of the United States.

SEC. 3. United States commissioners specially designated under authority of section 1 of this Act shall receive for services rendered under this Act the same fees, and none other, as provided for like or similar services in other cases under section 21 of the Act of May 28, 1896 (29 Stat. 184; U. S. C., title 28, sec. 597).

SEC. 4. This Act shall not be construed as in any way repealing or limiting the existing jurisdiction, power, or authority of United States commissioners, including United States commissioners appointed for the several national parks and the United States commissioners in Alaska.

SEC. 5. The provisions of this Act shall not apply to the District of Columbia.

Approved, October 9, 1940.

[CHAPTER 786]

AN ACT

To amend the Commodity Exchange Act, as amended, to extend its provisions to fats and oils, cottonseed, cottonseed meal, and peanuts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third sentence of section 2 of the Commodity Exchange Act, as amended, is amended to read as follows: "The word 'commodity' shall mean wheat, cotton, rice, corn, oats, barley, rye, flaxseed, grain sorghums, mill feeds, butter, eggs, *Solanum tuberosum* (Irish potatoes), wool tops, fats and oils (including lard, tallow, cottonseed oil, peanut oil, soybean oil and all other fats and oils), cottonseed meal, cottonseed, peanuts, soybeans and soybean meal."

SEC. 2. This Act shall take effect sixty days after the date of its enactment.

Approved, October 9, 1940.

[CHAPTER 787]

AN ACT

To permit the States to extend their sales, use, and income taxes to persons residing or carrying on business, or to transactions occurring, in Federal areas, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) no person shall be relieved from liability for payment of, collection of, or accounting for any sales or use tax levied by any State, or by any duly constituted taxing authority therein, having jurisdiction to levy such a tax, on the ground that the sale or use, with respect to which such tax is levied, occurred in whole or in part within a Federal area; and such State or taxing authority shall have full jurisdiction and power to levy and collect any such tax in any Federal area within such State to the same extent and with the same effect as though such area was not a Federal area.

Appeal.

Rules of procedure, etc.

Fees.

Existing jurisdiction, etc.

Nonapplication to D. C.

October 9, 1940
[H. R. 4088]
[Public, No. 818]

Commodity Exchange Act, amendment.
"Commodity" defined.
52 Stat. 205.
7 U. S. C., Supp. V, § 2.
Post, p. 1115.

Effective date.

October 9, 1940
[H. R. 6687]
[Public, No. 819]

Extension of State sales or use tax to Federal areas.