

[CHAPTER 2]

AN ACT

January 17, 1940
[H. R. 884]
[Public, No. 402]

Siuslaw National
Forest, Oreg.
Lands added.

Description.

To add certain lands to the Siuslaw National Forest in the State of Oregon.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of forest management and municipal watershed protection, the following-described lands, excepting such subdivisions as were revested in the ownership of the United States by the Act approved June 9, 1916 (39 Stat. 218), or now are parts of the unappropriated public domain, are hereby added and made a part of the Siuslaw National Forest in the State of Oregon subject to valid existing rights and all of the added lands owned by the United States shall hereafter be administered subject to all the laws and regulations governing the national forests: All of township 12 south, range 7 west; all of township 12 south, range 8 west; section 19, sections 29 to 32, inclusive, and sections 34 to 36, inclusive, in township 12 south, range 9 west; south half section 10, south half section 13, sections 14 and 15, sections 22 to 27, inclusive, and sections 34 to 36, inclusive, in township 12 south, range 10 west; sections 2 to 11, inclusive, sections 15 to 21, inclusive, and sections 30 and 31 in township 13 south, range 7 west; all of township 13 south, range 8 west; sections 1 to 5, inclusive, east half section 8, sections 9 and 10, north half section 11, sections 12 and 13, north half section 15, sections 16, 17, and 20, north half section 21 and sections 24 and 36 in township 13 south, range 9 west, all Willamette base and meridian.

Approved, January 17, 1940.

[CHAPTER 3]

AN ACT

January 17, 1940
[H. R. 5919]
[Public, No. 403]

Alaska.
Provisions for re-
funding certain bond-
ed indebtedness, etc.

Refunding bonds,
use of proceeds.

Exchange for out-
standing bonds.

Payment of accrued
interest.

To provide for the refunding of the bonds of municipal corporations and public-utility districts in the Territory of Alaska, to validate bonds which have heretofore been issued by a municipal corporation or any public-utility district in the Territory of Alaska, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever any municipal corporation or any public-utility district in the Territory of Alaska shall have outstanding any bonded indebtedness or bonds payable from the revenues from any municipal or public utility, it shall be lawful for said municipal corporation or public-utility district through its common council or board of directors, or other governing body, as the case may be, to issue its bonds and to sell such bonds and apply the proceeds of the sale in payment of the bonds for the payment of which such refunding bonds are issued, or to exchange same for such outstanding bonds constituting said indebtedness, or, as the case may be, for such outstanding bonds payable from the revenues of a municipal or public utility. Said refunding bonds may be exchanged privately for and in payment and discharge of any outstanding bonds of a municipal or public-utility district. Refunding bonds payable from the revenues of a municipal or public utility may be exchanged for a like or greater amount of outstanding bonds payable from the revenues of such municipal or public utility, and the principal amount of such refunding bonds may exceed the principal amount of such outstanding bonds to the extent necessary or advisable to fund interest in arrears or about to become due on such outstanding bonds. The holder or holders of any outstanding bonds need not pay accrued interest on the refunding bonds to be delivered in exchange therefor if, and to the

extent that interest is due or accrued and unpaid on the outstanding bonds to be surrendered. No election shall be required to authorize the issuance and sale of such refunding bonds and the issuance and sale thereof may be authorized, and all proceedings with reference thereto prescribed, by ordinance or resolution of the common council, or the board of directors, or other governing body, of the municipal corporation or public-utility district, as the case may be, at any legally called meeting thereof. Such refunding bonds shall not be subject to the limitations of bonded indebtedness prescribed by Public Law Numbered 626, Seventy-fourth Congress (49 Stat. 1388), as amended, or by the provisions of Public Law Numbered 563, Seventy-fifth Congress (52 Stat. 589), or by any other debt-limitations law applicable to municipal corporations or public-utility districts in the Territory of Alaska: *Provided*, That the total debt of the municipal corporation or public-utility district shall not be increased by such refunding operations.

SEC. 2. Bonds issued pursuant to this Act shall bear such date or dates, may be in such denominations, may mature in such amounts at such time or times, not exceeding thirty years from the date thereof, may be payable at such place or places, may be sold at either public or private sale, or exchanged as above provided, may be redeemable (either with or without premium) or nonredeemable, may carry such registration privileges as to either principal and interest, or principal only, and may be executed by such officers and in such manner, as shall be prescribed by the common council or board of directors or other governing body of the municipality or public-utility district issuing the bonds. In case any of the officers whose signatures appear on the bonds or coupons shall cease to be such officers before delivery of such bonds, such signatures, whether manual or facsimile, shall, nevertheless, be valid and sufficient for all purposes, the same as if such officers had remained in office until such delivery. The bonds so issued shall bear interest at a rate to be fixed by the governing body of the municipality issuing the same, not to exceed, however, 6 per centum per annum payable semiannually, and in no event to exceed the rate of interest paid on the bonds to be so refunded. Such bonds shall at all times be, and shall be, treated as negotiable instruments for all purposes. In case such bonds are sold rather than exchanged the purchase price thereof shall be not less than par plus accrued interest.

SEC. 3. It shall be the duty of the governing body of every municipal corporation or public-utility district which issues such bonds under the authority of this Act to levy or to cause to be levied each year during the life of such bonds taxes in amounts sufficient seasonably to provide for payment of and to pay all interest on and the principal of such obligations as they respectively accrue and mature: *Provided, however*, That the provisions of this section shall not apply to bonds which by their terms are to be paid from the revenues of a public utility owned or operated by such municipal corporation or public-utility district and are not general obligations of the municipal corporation or public-utility district. Such refunding bonds which are to be paid from the revenues of a municipal or public utility shall be secured by the same lien on or pledge of the revenues of said utility as the outstanding bonds to be refunded.

SEC. 4. (a) All bonds which have heretofore been issued by any municipal corporation or any public-utility district in the Territory of Alaska, and all proceedings for the authorization and issuance of such bonds and the sale, execution, and delivery thereof, hereby are validated, ratified, approved, and confirmed, notwithstanding any defects or irregularities in such proceedings. Said bonds heretofore

Issuance, etc., of refunding bonds, authorization.

Debt-limitations laws not to apply.

48 U. S. C., Supp. V, §§ 44a-44e.

48 U. S. C., Supp. V, §§ 315-315d.

Proviso.
Total debt, restriction on increase.

Bonds; denominations, maturity.

Registration privileges.

Validity of signatures.

Interest rate.

Negotiability; sale.

Annual levy for interest payment and retirement.

Proviso.
Exception.

Validation of bonds heretofore issued.

issued and sold are declared to be, and shall be, in the actual form in which such bonds have been issued, the binding and legal obligations of the municipal corporation or public-utility district issuing the same.

Validation of proceedings to incur bonded indebtedness, etc.

48 U. S. C., Supp. V, §§ 44a-44e.
48 U. S. C., Supp. V, §§ 315-315d.

Issuance of negotiable bonds.

(b) All proceedings heretofore taken by any municipal corporation or any public-utility district in the Territory of Alaska in connection with proposals to incur bonded indebtedness or to issue negotiable bonds pursuant to the provisions of the Act of May 28, 1936 (49 Stat. 1388), as amended, or of the Act of May 31, 1938 (52 Stat. 589), which may have been heretofore submitted to those of the qualified electors of the municipal corporation or public-utility district whose names appeared upon the tax-assessment roll of such corporation or district last completed prior to the holding of the election, are hereby validated, ratified, and confirmed, notwithstanding any defects or irregularities in such proceedings; and the fact that the indebtedness heretofore authorized by the electors at the time of the submission to them of the proposal to incur a bonded indebtedness or to issue negotiable bonds may have exceeded the limit of indebtedness which may have been applicable at the time of such authorization under the terms of either of said acts shall not serve to prevent the issuance of negotiable bonds, at any time or times, in any amount or amounts which, at the time or times of such issuance, will not cause the aforesaid limitations to be exceeded.

Approved, January 17, 1940.

[CHAPTER 11]

AN ACT

January 20, 1940
[S. 1554]
[Public, No. 404]

To provide that the district judge for the western district of Washington, authorized to be appointed under the Act of May 31, 1938, shall be a district judge for the eastern and western districts of Washington.

Washington, western district.
District judge for, to serve also for eastern district.

52 Stat. 585.
28 U. S. C., Supp. V, § 4t.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the district judge, authorized to be appointed for the western district of Washington under the Act entitled "An Act to provide for the appointment of additional judges for certain United States district courts, circuit courts of appeals, and certain courts of the United States for the District of Columbia", approved May 31, 1938 (Public Act Numbered 555, Seventy-fifth Congress, third session), shall be a district judge for the eastern and western districts of Washington.

Approved, January 20, 1940.

[CHAPTER 12]

AN ACT

January 25, 1940
[S. 1335]
[Public, No. 405]

Relating to the filing of affidavits of prejudice in the district court for the District of Alaska.

District court for District of Alaska.
31 Stat. 444.
Disqualification of judicial officers.

Affidavit of personal bias or prejudice of judge, filing of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 707, chapter 70, of title II of the Act entitled "An Act making further provision for a civil government for Alaska, and for other purposes", approved June 6, 1900, as amended (section 3305 of the Compiled Laws of the Territory of Alaska, 1933), is amended by striking out the period at the end of paragraph "Fourth" and inserting in lieu thereof a semicolon and the following new paragraph:

"Fifth. Whenever any party, or an attorney for any party, to any action or proceeding, civil or criminal, shall make and file an affidavit that the judge before whom the action or proceeding is to be tried or heard has a personal bias or prejudice either against him