

After the word "land" as it appears in the third sentence of this section, which reads: "or to fail to pay the cost of their maintenance while on land", add the following: "as required by this section or section 15 of this Act."

SEC. 3. Subsection (b) of section 16 of the Immigration Act of 1924 (43 Stat. 163; 8 U. S. C. 216 (b)), is hereby amended by substituting a colon for the period after the word "assessed" and inserting the following: "Provided, That no fine nor refund, as provided for in this subsection, nor any expense incident to detention in connection with an application for admission to the United States, shall be assessed or required for bringing into the United States any alien, if such alien holds an unexpired visa issued by a United States consul within sixty days of the alien's foreign embarkation."

SEC. 4. Subsection (a) of section 20 of the Immigration Act of 1924 (43 Stat. 164; 8 U. S. C. 167 (a)), is amended by adding at the end thereof the following: "The Attorney General may, upon application in writing therefor, mitigate such penalty to not less than \$200 for each seaman in respect of whom such failure occurs, upon such terms as the Attorney General in his discretion shall think proper. This section, as amended, shall apply to all penalties arising subsequent to June 5, 1940."

Approved December 19, 1944.

[CHAPTER 609]

AN ACT

To suspend the effectiveness during the existing national emergency of the tariff duty on coconuts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no duty shall be levied, collected, or payable under the Tariff Act of 1930, as amended, with respect to coconuts or coconut meat provided for in paragraph 758 of that Act, entered, or withdrawn from warehouse, for consumption, during the period beginning with the day following the date of enactment of this Act and ending with the termination of the unlimited national emergency proclaimed by the President on May 27, 1941.

Approved December 20, 1944.

[CHAPTER 610]

AN ACT

To amend the laws of the District of Columbia relating to exemption of property from judicial process, the assignment of salary or wages, and the advance payment of salary or wages for the purpose of preventing attachment or garnishment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1105 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901, is hereby amended to read as follows:

"SEC. 1105. (a) The following property, being the property of the head of a family or householder residing in the District of Columbia, or of a person who earns the major portion of his livelihood in the District of Columbia, being the head of a family or householder, regardless of his place of residence, shall be free and exempt from distraint, attachment, levy, or seizure and sale on execution or decree of any court in the District of Columbia.

39 Stat. 885.
8 U. S. C. § 151.
Ante, p. 816.
Illegal transportation, penalty.

Alien holding unexpired visa.

Failure to detain alien seaman.

Mitigation of penalty.

December 20, 1944
[H. R. 1033]
[Public Law 504]

Coconuts and coconut meat.
Suspension of tariff duty.

46 Stat. 636.
19 U. S. C. § 1001, par. 758.

December 20, 1944
[H. R. 2116]
[Public Law 505]

District of Columbia Code, amendments.
31 Stat. 1362.
D. C. Code § 15-401.

Exemptions of property from judicial process.
Head of family or householder.

"First. All wearing apparel provided for all persons within the household, being members of the immediate family of the household, not in excess of \$300 per person.

"Second. All beds, bedding, household furniture and furnishings, sewing machines, radios, stoves, cooking utensils, not exceeding \$300 in value.

"Third. Provisions for three months' support, whether provided or growing.

"Fourth. Fuel for three months.

"Fifth. Mechanics' tools and implements of the debtor's trade or business amounting to \$200 in value, with \$200 worth of stock or materials for carrying on the business or trade of the debtor. This exemption shall also apply to merchants.

"Sixth. The library, office furniture, and implements of a professional man or artist, to the value of \$300.

"Seventh. One horse or mule; one cart, wagon, or dray and harness, or one automobile or motor-controlled vehicle not exceeding \$500 in value if used principally by the debtor in his trade or business.

"Eighth. All family pictures; and all the family library, not exceeding in value \$400.

"(b) Such exemptions shall be valid when the property is in transitu the same as if at rest; but no property named and exempted in this section shall be exempted from attachment or execution for any debt due for the wages of servants, common laborers, or clerks, except the wearing apparel, beds, and bedding and household furniture for the debtor and family.

"(c) For the purpose of this section the person who is the principal provider for the family shall be deemed to be the head thereof."

SEC. 2. Section 1107 of such Act approved March 3, 1901, is hereby amended to read as follows:

"SEC. 1107. (a) The earnings, salary, insurance, annuities, or pension or retirement payments, not otherwise exempted, not to exceed \$100 each month, of any person residing in the District of Columbia, or of any person who earns the major portions of his or her livelihood in the District of Columbia, regardless of place of residence, who provides the principal support of a family, for two months next preceding the issuing of any writ or process against him, from any court or officer of and in said District, shall be exempt from attachment, levy, seizure, or sale upon such process, and the same shall not be seized, levied on, taken, reached, or sold by attachment, execution, or any other process or proceedings of any court, judge, or other officer of and in said District: *Provided, however,* That where husband and wife are living together, the aggregate of the earnings, salaries, insurance, annuities, and pension or retirement payments of the husband and wife shall be the amount which shall be determinative of the exemption of either in cases arising *ex contractu*.

"(b) The earnings, salary, insurance, annuities, or pension or retirement payments, not otherwise exempted, not to exceed \$60 each month for two months preceding the date of attachment of all persons residing in the District of Columbia, or of persons who earn the major portions of their livelihood in the District of Columbia, regardless of place of residence, who do not provide for the support of a family, shall be entitled to like exemption from attachment, levy, seizure, or sale. All wearing apparel belonging to such persons, not exceeding \$300 in value, and mechanic's tools not exceeding \$200 in value, shall also be exempt.

"(c) A notice of claim of exemption, or motion to quash attachment or other process against exempt property or money, may be

Property in transitu.
Exceptions.

"Head of family."

31 Stat. 1363.
D. C. Code § 15-403.

Earnings, salary, insurance, etc.
Persons providing principal support of family.

Husband and wife living together.

Persons not providing family support.

Property exemptions.

Filing of notices, motions, or other claims of exemption.

filed in the office of the clerk of the court either by the debtor, his spouse, or a garnishee, and thereupon the court, after due notice, shall promptly act upon the notice, motion, or other claim of exemption."

SEC. 3. Chapter Eleven of such Act approved March 3, 1901, is hereby amended by adding at the end thereof a new section as follows:

"SEC. 434-A. (a) Every contract attempting or purporting to transfer or assign salary or wages to be earned by the debtor after the date of such contract, shall, if made in the District of Columbia, be invalid and contrary to public policy and unenforceable, and if made outside the District of Columbia, be unenforceable in any court within the District of Columbia.

"(b) It shall be unlawful for any person in the District of Columbia to demand or receive from such debtor any assignment of salary or wages to be thereafter earned by such debtor, or to notify any employer that he holds an assignment of such salary or wages. Any person violating this subsection shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than \$200 or by imprisonment for not more than sixty days. Prosecutions under this subsection shall be upon information filed in the Criminal Branch of the Municipal Court of the District of Columbia by the Corporation Counsel of the District of Columbia or one of his assistants."

SEC. 4. Section 456 of such Act approved March 3, 1901, as amended, is hereby amended by inserting "(a)" after "456.", and by adding at the end of such section a new subsection as follows:

"(b) It shall be unlawful for any employer to pay salary or wages to an employee in advance of the time the same shall be due and payable, for the purpose of avoiding or preventing an attachment or garnishment against the earnings or salary of such employee, and such advance payment, as to the attaching creditor, shall be void: *Provided*, That after the service of one writ of attachment or garnishment on a judgment against an employer, any payment of salary or earnings thereafter before the time when said salary or earnings are due and payable, made within a period of six months after the date of service of said writ or before the earlier satisfaction of such judgment, whichever is the earlier, shall as to such attaching creditor be presumed to be in violation of this subsection and shall cast upon the said employer the burden of proving that such advance payment or payments were not for the purpose of avoiding the attachment of such salary or earnings."

Approved December 20, 1944.

[CHAPTER 611]

AN ACT

To grant additional powers to the Commissioners of the District of Columbia, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia are authorized and empowered within their discretion—

(a) In accordance with such regulations as they may make, to provide for the waiver of payment by any person in the military service of the United States of any annual or other periodic fee required by law to be paid to the District of Columbia or to any District of Columbia board or commission as a condition to retaining or renewing any license or permit to engage in any business or calling or to practice any profession in the District of Columbia.

31 Stat. 1256.
D. C. Code §§ 28-2501 to 28-2504.
Attempted assignment, etc., of future wages.

Unlawful acts.

Penalty.

31 Stat. 1262.
D. C. Code § 16-312.

Advance payments to prevent attachments, etc.

December 20, 1944
[H. R. 2644]
[Public Law 506]

D. C. Commissioners, additional powers.

Persons in military service.
Waiver of payment of certain fees.