

[CHAPTER 208]

AN ACT

April 2, 1942
[S. 2339]
[Public Law 513]

To provide for the expeditious naturalization of former citizens of the United States who have lost United States citizenship through service with the allied forces of the United States during the first or second World War.

Nationality Act of
1940, amendment.
8 U. S. C. § 723.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 323 of the Act of October 14, 1940 (54 Stat. 1149), entitled "An Act to revise and codify the nationality laws of the United States into a comprehensive nationality code", is hereby amended to read as follows:

Naturalization of
certain former citi-
zens.

"SEC. 323. A person who, while a citizen of the United States and during the first or second World War, entered the military or naval service of any country at war with a country with which the United States was or is at war, who has lost citizenship of the United States by reason of any oath or obligation taken for the purpose of entering such service, or by reason of entering or serving in such armed forces, and who intends to reside permanently in the United States, may be naturalized by taking before any naturalization court specified in subsection (a) of section 301, the oaths prescribed by section 335. Any such person who has lost citizenship of the United States during the second World War may, if he so desires, be naturalized by taking, before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 335. For the purposes of this section, the second World War shall be deemed to have commenced on September 1, 1939, and shall continue until such time as the United States shall cease to be in a state of war. Certified copies of such oath shall be sent by such diplomatic or consular officer or such court to the Department of State and to the Department of Justice."

Approved, April 2, 1942.

54 Stat. 1149.
8 U. S. C. § 701 (a).
54 Stat. 1157.
8 U. S. C. § 735.

[CHAPTER 209]

AN ACT

April 6, 1942
[H. R. 4151]
[Public Law 514]

To authorize the acquisition by the United States of lands lying between the present boundary of the Naval Air Station, Lakehurst, New Jersey, and the new boundary of Fort Dix, in the county of Ocean and State of New Jersey.

Naval Air Station,
Lakehurst, N. J.
Acquisition of lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to acquire, by purchase or otherwise, for use in connection with the Naval Air Station, Lakehurst, New Jersey, certain pieces and parcels of land approximately five thousand six hundred and seventy-three acres, more or less, situated in the county of Ocean, State of New Jersey, and lying between the westerly boundary of the Naval Air Station, Lakehurst, New Jersey, and the new northeasterly boundary of Fort Dix.

Repeal.

SEC. 2. The Act of June 6, 1940 (54 Stat. 234), is hereby repealed.

Approved, April 6, 1942.

[CHAPTER 210]

AN ACT

April 6, 1942
[H. R. 6005]
[Public Law 515]

To authorize cases under the Expediting Act of February 11, 1903, to be heard and determined by courts constituted in the same manner as courts constituted to hear and determine cases involving the constitutionality of Acts of Congress, and further to define the powers of a district judge in certain suits.

U. S. courts.
Expediting of cer-
tain cases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1, as amended, of the Act entitled "An Act to expedite the hearing and

determination of suits in equity pending or hereafter brought under the Act of July second, eighteen hundred and ninety, entitled 'An Act to protect trade and commerce against unlawful restraints and monopolies', 'An Act to regulate commerce', approved February fourth, eighteen hundred and eighty-seven, or any other Acts having a like purpose that may hereafter be enacted", approved February 11, 1903 (32 Stat. 823; U. S. C., 1940 edition, title 15, section 28 and title 49, section 44), is amended to read as follows:

"That in any civil action brought in any district court of the United States under the Act entitled 'An Act to protect trade and commerce against unlawful restraints and monopolies', approved July 2, 1890, 'An Act to regulate commerce', approved February 4, 1887, or any other Acts having a like purpose that hereafter may be enacted, wherein the United States is plaintiff, the Attorney General may file with the clerk of such court a certificate that, in his opinion, the case is of general public importance, a copy of which shall be immediately furnished by such clerk to the senior circuit judge (or in his absence, the presiding circuit judge) of the circuit in which the case is pending (including the District of Columbia). Upon receipt of the copy of such certificate, it shall be the duty of the senior circuit judge or the presiding circuit judge, as the case may be, to designate immediately three judges in such circuit, of whom at least one shall be a circuit judge, to hear and determine such case, and it shall be the duty of the judges so designated to assign the case for hearing at the earliest practicable date, to participate in the hearing and determination thereof, and to cause the case to be in every way expedited."

SEC. 2. The amendment made by section 1 of this Act shall not apply to any case with respect to which the Attorney General has filed a certificate prior to the date of the enactment of this Act and in which the court has already been constituted.

SEC. 3. In any action in a district court wherein the action of three judges is required for the hearing and determination of an application for interlocutory injunction and for the final hearing by reason of the provisions of section 266 of the Judicial Code, the Act of October 22, 1913, chapter 32, or the Act of August 24, 1937, chapter 754, section 3 (being, respectively, secs. 380, 47, and 380a of title 28, U. S. C.), or the Act of February 11, 1903 (32 Stat. 823; U. S. C., 1940 edition, title 15, sec. 28 and title 49, sec. 44), as amended by section 1 of this Act, any one of such three judges may perform all functions, conduct all proceedings, except the trial of such action, and enter all orders required or permitted by the Rules of Civil Procedure for the District Courts of the United States in effect at the time, provided such single judge shall not appoint, or order a reference to a master, or hear and determine any application for, or vacation of, an interlocutory injunction, or dismiss the action, or enter a summary or final judgment on all or any part of the action: *Provided, however,* That any action of a single judge hereby permitted shall be subject to review at any time prior to final hearing by the court as constituted for final hearing, on application of any party or by order of such court on its own motion.

Approved, April 6, 1942.

Civil actions where-
in U. S. is plaintiff.

Certificate of Attor-
ney General.

Designation of three-
judge court.

Duty.

Nonapplicability
to certain cases.

Authority of a single
judge.

36 Stat. 1162.
38 Stat. 220.
50 Stat. 752.

28 U. S. C. foll. § 723c.

Proviso.
Actions of judge
subject to review.

[CHAPTER 211]

AN ACT

April 6, 1942

[H. R. 6360]

[Public Law 516]

To amend the Act known as the "Perishable Agricultural Commodities Act, 1930" (46 Stat. 531), approved June 10, 1930, as amended.

Perishable Agricultural Commodities Act, 1930, amendment.

7 U. S. C. § 499b (4).

False statements, etc.

Failure to account and make full payment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Perishable Agricultural Commodities Act, 1930 (46 Stat. 531), as amended, be amended as follows:

"SECTION 1. That section 2, paragraph (4) is hereby amended by striking out the language therein and substituting the following:

"(4) For any commission merchant, dealer, or broker to make, for a fraudulent purpose, any false or misleading statement in connection with any transaction involving any perishable agricultural commodity which is received in interstate or foreign commerce by such commission merchant, or bought or sold, or contracted to be bought, sold, or consigned, in such commerce by such dealer, or the purchase or sale of which in such commerce is negotiated by such broker; or to fail or refuse truly and correctly to account and make full payment promptly in respect of any transaction in any such commodity to the person with whom such transaction is had; or to fail, without reasonable cause, to perform any specification or duty, express or implied, arising out of any undertaking in connection with any such transaction;"

Approved, April 6, 1942.

[CHAPTER 220]

AN ACT

April 7, 1942

[H. R. 6023]

[Public Law 517]

To provide for the payment for accumulative or accrued annual leave to certain employees of the United States, its Territories or possessions, or the District of Columbia, who voluntarily enlist or otherwise enter the military or naval forces of the United States.

Government, etc., employees entering military or naval forces.

55 Stat. 616.
5 U. S. C., Supp. I,
§ 61a.

Compensation or credit for leave.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act making provisions for payment of employees of the United States Government, its Territories or possessions, or the District of Columbia, for accumulated or accrued annual leave when ordered to active duty with the military or naval forces of the United States", approved August 1, 1941, is amended to read as follows:

"That employees of the United States Government, its Territories or possessions, or the District of Columbia (including employees of any corporation created under authority of an Act of Congress which is either wholly controlled or wholly owned by the United States Government, or any corporation, all the stock of which is owned or controlled by the United States Government, or any department, agency, or establishment thereof, whether or not the employees thereof are paid from funds appropriated by Congress), who, subsequent to May 1, 1940, shall have entered upon active military or naval service in the land or naval forces of the United States by voluntary enlistment or otherwise, shall be entitled to receive, in addition to their military pay, compensation in their civilian positions covering their accumulated or current accrued leave, or to elect to have such leave remain to their credit until their return from active military or naval service."

Approved, April 7, 1942.