

- For salaries and expenses of district attorneys, United States courts, \$38.67.
- For salaries, fees, and expenses of marshals, United States courts, \$40.98.
- For fees of clerks, United States courts, 1918, \$31.82.
- For fees of clerks, United States courts, 1919, \$39,138.52.
- For fees of commissioners, United States courts, \$32.
- For fees of commissioners, United States courts, 1918, \$708.65.
- For fees of commissioners, United States courts, 1919, \$3,717.20.
- For fees of witnesses, United States courts, \$3.30.
- For miscellaneous expenses, United States courts, \$364.
- For supplies for United States courts, 1918, \$6.17.

CLAIMS ALLOWED BY THE AUDITOR FOR THE POST OFFICE DEPARTMENT.

- For railroad transportation, \$7,361.01.
- For indemnities, international mail, \$752.31.
- For shipment of supplies, \$37.14.
- For freight on stamped paper and mail bags, \$25.48.
- For vehicle service, \$180.70.
- For unusual conditions at post offices, \$147.77.
- For equipment, City Delivery Service, \$2.
- For special-delivery fees, \$1.28.
- For rent, light, and fuel, \$110.63.
- For mail-messenger service, \$246.
- For compensation to postmasters, \$1,470.98.
- For clerks, third-class post offices, \$30.
- For clerks, first and second-class post offices, \$756.62.
- For balances due foreign countries, \$49.62.
- For Railway Mail Service, salaries, \$123.97.
- For city-delivery carriers, \$36.67.
- For Railway Mail Service, miscellaneous expenses, \$162.82.
- For Rural Delivery Service, \$418.89.
- For Star Route Service, \$275.91.
- For indemnities, domestic mail, registered, \$25.
- Total audited claims, section 2, \$999,946.

Claims allowed by Auditor for Post Office Department.

SEC. 3. That this Act hereafter may be referred to as the "Second Deficiency Appropriation Act, fiscal year 1920."
Approved, March 6, 1920.

Title designated.

CHAP. 95.—An Act Authorizing suits against the United States in admiralty, suits for salvage services, and providing for the release of merchant vessels belonging to the United States from arrest and attachment in foreign jurisdictions, and for other purposes.

March 9, 1920.
[S. 3076.]
[Public, No. 156.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no vessel owned by the United States or by any corporation in which the United States or its representatives shall own the entire outstanding capital stock or in the possession of the United States or of such corporation or operated by or for the United States or such corporation, and no cargo owned or possessed by the United States or by such corporation, shall hereafter, in view of the provision herein made for a libel in personam, be subject to arrest or seizure by judicial process in the United States or its possessions: *Provided*, That this Act shall not apply to the Panama Railroad Company.

Admiralty causes. Vessels and cargoes owned by United States, etc., exempt from seizure.

Proviso. Exception.

SEC. 2. That in cases where if such vessel were privately owned or operated, or if such cargo were privately owned and possessed, a proceeding in admiralty could be maintained at the time of the com-

Libel in personam authorized against United States, if merchant vessel or tug.

commencement of the action herein provided for, a libel in personam may be brought against the United States or against such corporation, as the case may be, provided that such vessel is employed as a merchant vessel or is a tug boat operated by such corporation. Such suits shall be brought in the district court of the United States for the district in which the parties so suing, or any of them, reside or have their principal place of business in the United States, or in which the vessel or cargo charged with liability is found. The libelant shall forthwith serve a copy of his libel on the United States attorney for such district and mail a copy thereof by registered mail to the Attorney General of the United States, and shall file a sworn return of such service and mailing. Such service and mailing shall constitute valid service on the United States and such corporation. In case the United States or such corporation shall file a libel in rem or in personam in any district, a cross-libel in personam may be filed or a set-off claimed against the United States or such corporation with the same force and effect as if the libel had been filed by a private party. Upon application of either party the cause may, in the discretion of the court, be transferred to any other district court of the United States.

SEC. 3. That such suits shall proceed and shall be heard and determined according to the principles of law and to the rules of practice obtaining in like cases between private parties. A decree against the United States or such corporation may include costs of suit, and when the decree is for a money judgment, interest at the rate of 4 per centum per annum until satisfied, or at any higher rate which shall be stipulated in any contract upon which such decree shall be based. Interest shall run as ordered by the court. Decrees shall be subject to appeal and revision as now provided in other cases of admiralty and maritime jurisdiction. If the libelant so elects in his libel the suit may proceed in accordance with the principles of libels in rem wherever it shall appear that had the vessel or cargo been privately owned and possessed a libel in rem might have been maintained. Election so to proceed shall not preclude the libelant in any proper case from seeking relief in personam in the same suit. Neither the United States nor such corporation shall be required to give any bond or admiralty stipulation on any proceeding brought hereunder. Any such bond or stipulation heretofore given in admiralty causes by the United States, the United States Shipping Board, or the United States Shipping Board Emergency Fleet Corporation, shall become void and be surrendered and canceled upon the filing of a suggestion by the Attorney General or other duly authorized law officer that the United States is interested in such cause, and assumes liability to satisfy any decree included within said bond or stipulation, and thereafter any such decree shall be paid as provided in section 8 of this Act.

SEC. 4. That if a privately owned vessel not in the possession of the United States or of such corporation is arrested or attached upon any cause of action arising or alleged to have arisen from previous possession, ownership, or operation of such vessel by the United States or by such corporation, such vessel shall be released without bond or stipulation therefor upon the suggestion by the United States, through its Attorney General or other duly authorized law officer, that it is interested in such cause, desires such release, and assumes the liability for the satisfaction of any decree obtained by the libelant in such cause, and thereafter such cause shall proceed against the United States in accordance with the provisions of this Act.

SEC. 5. That suits as herein authorized may be brought only on causes of action arising since April 6, 1917, provided that suits based on causes of action arising prior to the taking effect of this Act shall

Venue of action.

Service, etc.

Admission of cross-libels in actions by United States, etc.

Transfer of causes.

Procedure as between private parties.

Appeal, etc., allowed.

Actions as in rem if libelant so elect.

No bond required.

Cancellation of former bonds.

Payment of decree. *Post, p. 527.*

Private vessels formerly Government owned.

Release, etc., if attached for causes arising during such ownership.

Assumption of liability.

Time limit for suits.

be brought within one year after this Act goes into effect; and all other suits hereunder shall be brought within two years after the cause of action arises.

SEC. 6. That the United States or such corporation shall be entitled to the benefits of all exemptions and of all limitations of liability accorded by law to the owners, charterers, operators, or agents of vessels.

SEC. 7. That if any vessel or cargo within the purview of sections 1 and 4 of this Act is arrested, attached, or otherwise seized by process of any court in any country other than the United States, or if any suit is brought therein against the master of any such vessel for any cause of action arising from, or in connection with, the possession, operation, or ownership of any such vessel, or the possession, carriage, or ownership of any such cargo, the Secretary of State of the United States in his discretion, upon the request of the Attorney General of the United States, or any other officer duly authorized by him, may direct the United States consul residing at or nearest the place at which such action may have been commenced to claim such vessel or cargo as immune from such arrest, attachment, or other seizure, and to execute an agreement, undertaking, bond, or stipulation for and on behalf of the United States, or the United States Shipping Board, or such corporation as by said court required, for the release of such vessel or cargo, and for the prosecution of any appeal; or may, in the event of such suits against the master of any such vessel, direct said United States consul to enter the appearance of the United States, or of the United States Shipping Board, or of such corporation, and to pledge the credit thereof to the payment of any judgment and cost that may be entered in such suit. The Attorney General is hereby vested with power and authority to arrange with any bank, surety company, person, firm, or corporation in the United States, its Territories and possessions, or in any foreign country, to execute any such aforesaid bond or stipulation as surety or stipulator thereon, and to pledge the credit of the United States to the indemnification of such surety or stipulator as may be required to secure the execution of such bond or stipulation. The presentation of a copy of the judgment roll in any such suit, certified by the clerk of the court and authenticated by the certificate and seal of the United States consul claiming such vessel or cargo, or his successor, and by the certificate of the Secretary of State as to the official capacity of such consul, shall be sufficient evidence to the proper accounting officers of the United States, or of the United States Shipping Board, or of such corporation, for the allowance and payment of such judgments: *Provided, however,* That nothing in this section shall be held to prejudice or preclude a claim of the immunity of such vessel or cargo from foreign jurisdiction in a proper case.

SEC. 8. That any final judgment rendered in any suit herein authorized, and any final judgment within the purview of sections 4 and 7 of this Act, and any arbitration award or settlement had and agreed to under the provisions of section 9 of this Act, shall, upon the presentation of a duly authenticated copy thereof, be paid by the proper accounting officers of the United States out of any appropriation or insurance fund or other fund especially available therefor; otherwise there is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated, a sum sufficient to pay any such judgment or award or settlement.

SEC. 9. That the Secretary of any department of the Government of the United States, or the United States Shipping Board, or the board of trustees of such corporation, having control of the possession or operation of any merchant vessel are, and each hereby is, author-

Exemptions, etc.

Seizures, etc., of Government owned vessels, etc., in foreign countries. Immunity, etc., may be claimed by consul.

Execution of bond.

Suits against masters of such vessels.

Arrangement for sureties.

Payment of judgments.

Proviso. No immunity prejudiced.

Payment of judgments, awards, or settlements.

Appropriation if no fund available.

Compromises, etc., authorized.

ized to arbitrate, compromise, or settle any claim in which suit will lie under the provisions of sections 2, 4, 7, and 10 of this Act.

Salvages by Government owned merchant vessels.
Collection for vessel and crew authorized.

SEC. 10. That the United States, and the crew of any merchant vessel owned or operated by the United States, or such corporation, shall have the right to collect and sue for salvage services rendered by such vessel and crew, and any moneys recovered therefrom by the United States for its own benefit, and not for the benefit of the crew, shall be covered into the United States Treasury to the credit of the department of the Government of the United States, or of the United States Shipping Board, or of such corporation, having control of the possession or operation of such vessel.

Moneys received to be credited to department, etc., controlling the vessel.

SEC. 11. That all moneys recovered in any suit brought by the United States on any cause of action arising from, or in connection with, the possession, operation, or ownership of any merchant vessel, or the possession, carriage, or ownership of any cargo, shall be covered into the United States Treasury to the credit of the department of the Government of the United States, or of the United States Shipping Board, or of such aforesaid corporation, having control of the vessel or cargo with respect to which such cause of action arises, for reimbursement of the appropriation, or insurance fund, or other funds, from which the loss, damage, or compensation for which said judgment was recovered has been or will be paid.

Report to Congress, of all suits, etc.

SEC. 12. That the Attorney General shall report to the Congress at each session thereof the suits under this Act in which final judgment shall have been rendered for or against the United States and such aforesaid corporation, and the Secretary of any department of the Government of the United States, and the United States Shipping Board, and the board of trustees of any such aforesaid corporation, shall likewise report the arbitration awards or settlements of claims which shall have been agreed to since the previous session, and in which the time to appeal shall have expired or have been waived.

Arbitration awards, etc.

Inconsistent laws repealed.

SEC. 13. That the provisions of all other Acts inconsistent herewith are hereby repealed.

Approved, March 9, 1920.

March 10, 1920.
[S. J. Res. 156.]
[Pub. Res., No. 31.]

CHAP. 96.—Joint Resolution Authorizing the Secretary of War to bring back on Army transports from Danzig, Poland, residents of the United States of Polish origin who were engaged in the war on the side of the allied and associated powers.

Polish residents serving with allies in World War Preamble.

Whereas there are now in concentration camps at or near Warsaw, Poland, and have been since November, 1919, upward of twelve thousand residents of the United States of Polish origin who were equipped and transported at the expense of Great Britain and France from the United States to Poland and who were engaged in active service in behalf of the allied cause during the war; and

Whereas they are desirous of returning to their homes in this country and are without means to accomplish such repatriation: Therefore be it

Army transports may be used for returning to United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That authority be, and hereby is, given to the Secretary of War to use such Army transports as may be available to bring back to the United States from Danzig, Poland, such residents of the United States of Polish origin as were engaged in the war on the side of the allied and associated powers.

Approved, March 10, 1920.