

[CHAPTER 239]

AN ACT

To amend the Expediting Act.

June 9, 1944
[H. R. 3054]
[Public Law 332]

Expediting Act,
amendment,
32 Stat. 523,
15 U. S. C. § 29.

Appeals to Supreme
Court.

Procedure if quo-
rum found lacking.

Certification to cir-
cuit court of appeals.

Designation of cir-
cuit judges.

Finality of decision.

Circuit judges.
Filling of vacancies.

Pending cases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of February 11, 1903, chapter 544, be amended to read as follows:

"In every suit in equity brought in any district court of the United States under any of said Acts, wherein the United States is complainant, an appeal from the final decree of the district court will lie only to the Supreme Court and must be taken within sixty days from the entry thereof: *Provided, however,* That if, upon any such appeal, it shall be found that, by reason of disqualification, there shall not be a quorum of Justices of the Supreme Court qualified to participate in the consideration of the case on the merits, then, in lieu of a decision by the Supreme Court, the case shall be immediately certified by the Supreme Court to the circuit court of appeals of the circuit in which is located the district in which the suit was brought which court shall thereupon have jurisdiction to hear and determine the appeal in such case, and it shall be the duty of the senior circuit judge of said circuit court of appeals, qualified to participate in the consideration of the case on the merits, to designate immediately three circuit judges of said court, one of whom shall be himself and the other two of whom shall be the two circuit judges next in order of seniority to himself, to hear and determine the appeal in such case and it shall be the duty of the court, so comprised, to assign the case for argument at the earliest practicable date and to hear and determine the same, and the decision of the three circuit judges so designated, or of a majority in number thereof, shall be final and there shall be no review of such decision by appeal or certiorari or otherwise.

"If, by reason of disqualification, death or otherwise, any of said three circuit judges shall be unable to participate in the decision of said case, any such vacancy or vacancies shall be filled by the senior circuit judge by designating one or more other circuit judges of the said circuit next in order of seniority and, if there be none such available, he shall fill any such vacancy or vacancies by designating one or more circuit judges from another circuit or circuits, designating, in each case, the oldest available circuit judge, in order of seniority, in the circuit from which he is selected, such designation to be only with the consent of the senior circuit judge of any such other circuit."

This Act shall apply to every case pending before the Supreme Court of the United States on the date of its enactment.

Approved June 9, 1944.

[CHAPTER 240]

AN ACT

To increase the debt limit of the United States.

June 9, 1944
[H. R. 4464]
[Public Law 333]

Public Debt Act of
1944.

49 Stat. 21,
31 U. S. C., Supp.
III, § 757b.

Limitation on obli-
gations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the Public Debt Act of 1944.

SEC. 2. That section 21 of the Second Liberty Bond Act, as amended, is further amended to read as follows:

"SEC. 21. The face amount of obligations issued under the authority of this Act shall not exceed in the aggregate \$260,000,000,000 outstanding at any one time."

SEC. 3. REDUCTION OF WAR TAX RATE ON CABARETS, ROOF GARDENS, ETC.

(a) **REDUCTION OF RATE.**—Section 1650 of the Internal Revenue Code is amended by striking out “30 per centum” where it appears in the table therein as the war tax rate on cabarets, roof gardens, and so forth, and inserting in lieu thereof “20 per centum”.

Ante, p. 61.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall be applicable only with respect to the period beginning at 10 antemeridian on the first day of the first month following the date of enactment of this Act.

Approved June 9, 1944.

[CHAPTER 242]

AN ACT

To amend the Act entitled “An Act to fix the hours of duty of postal employees, and for other purposes”, approved August 14, 1935, as amended.

June 12, 1944
[H. R. 2928]
[Public Law 334]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much as precedes the third proviso therein of section 1 of the Act of August 14, 1935, entitled “An Act to fix the hours of duty of postal employees, and for other purposes”, as amended (U. S. C., 1940 edition, Supp. II, title 39, sec. 832), is amended to read as follows: “That when the needs of the service require postmasters of the first, second, and third classes, supervisory employees, special clerks, clerks, laborers, watchmen, and messengers, in first- and second-class post offices, and employees of the motor-vehicle and pneumatic-tube services, and carriers in the City Delivery Service and in the Village Delivery Service, and employees of the Railway Mail Service, post-office inspectors and clerks at division headquarters of the post-office inspectors, employees of the Stamped Envelope Agency and employees of the mail equipment shops; cleaners, janitors, telephone operators, and elevator conductors, paid from appropriations of the First Assistant Postmaster General; employees of the Air Mail Service; employees upon the field roll of the Division of Equipment and Supplies and all employees of the Custodial Service except charwomen and charmen and those working part time, to perform service on Saturday they shall be allowed compensatory time for such service on one day within five working days next succeeding the Saturday on which the excess service was performed: *Provided*, That employees who are granted compensatory time on Saturday for work performed the preceding Sunday or the preceding holiday shall be given the benefits of this Act on one day within five working days following the Saturday when such compensatory time was granted: *Provided further*, That the Postmaster General may, if the exigencies of the service require it, authorize the payment of overtime for Saturdays in lieu of compensatory time, any emoluments received pursuant to the Act entitled ‘An Act to provide temporary additional compensation for employees in the Postal Service’, approved April 9, 1943, not to be considered as part of the earned basic compensation”. In computing the overtime compensation the base pay for one day shall be considered to be one three hundred and sixth of the respective per annum salaries and the base pay for one hour shall be considered to be one-eighth of the base pay so computed for one day: *Provided*, That postmasters of the first, second, and third classes, and post-office inspectors, shall be on duty not less than forty-eight hours per week, and shall be paid for the additional eight hours, as additional pay for working such additional time, as follows:

Postal employees.
Compensatory time
for service performed
on Saturday.

49 Stat. 650.
39 U. S. C., Supp.
III, § 832.

Sunday and holiday
employment.

Payment in lieu of
compensatory time.

57 Stat. 59.
39 U. S. C., Supp.
III, § 835.

Postmasters and
post-office inspectors.