

Director of Public Buildings and Public Parks of the National Capital may grant such additional sick leave, with full pay, as may be recommended by the Board of Police and Fire Surgeons, acting as such, or members thereof in their individual capacity.

SEC. 3. That paragraph (b) of section 16 of the Act entitled "An Act to provide for regulation of motor-vehicle traffic in the District of Columbia, increase the number of judges of the police court, and for other purposes," approved March 3, 1925 (Statutes at Large, volume 43, page 1126), is hereby amended by striking out the words "chief of engineers" and inserting in lieu thereof the words "Director of Public Buildings and Public Parks of the National Capital."

Approved, July 3, 1926.

Park system.  
Control of, under Director of Public Buildings, etc., in place of Chief of Engineers.  
Vol. 43, p. 1126, amended.

CHAP. 761.—An Act To amend paragraph (11), section 20, of the Interstate Commerce Act.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (11) of section 20 of the Interstate Commerce Act, as amended, is amended by striking out the period at the end thereof and inserting in lieu thereof a colon and the following: "And provided further, That the liability imposed by this paragraph shall also apply in the case of property reconsigned or diverted in accordance with the applicable tariffs filed as in this Act provided."*

Approved, July 3, 1926.

July 3, 1926.  
[S. 1344.]  
[Public, No. 482.]

Interstate commerce.  
Liability for goods in transit.  
Vol. 38, p. 1197; Vol. 41, p. 494.

Extended to property reconsigned, etc.

CHAP. 762.—An Act Relating to contempts.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever letters rogatory shall issue out of any court of the United States, either with or without interrogatories addressed to any court of any foreign country, to take the testimony of any witness, being a citizen of the United States or domiciled therein, and such witness, having been personally notified by it according to the practice of such court, to appear and testify pursuant to such letters rogatory and such witness shall neglect to appear, or having appeared shall decline, refuse, or neglect to answer to any question which may be propounded to him by or under the authority of such court, to which he would be required to make answer were he being examined before the court issuing such letters, the court out of which said letters issued may upon proper showing order that a subpoena issue addressed to any consul of the United States within any country in which such witness may be, commanding such witness to appear before the said court at a time and place therein designated.*

SEC. 2. Whenever the attendance at the trial of any criminal action of a witness, being a citizen of the United States or domiciled therein, who is beyond the jurisdiction of the United States, is desired by the Attorney General or any assistant or district attorney acting under him, the judge of the court before which such action is pending, or who is to sit in the trial of the same, may, upon proper showing, order that a subpoena issue, addressed to any consul of the United States within any country in which such witness may be, commanding such witness to appear before the said court at a time and place therein designated.

SEC. 3. It shall be the duty of any consul of the United States within any country in which such witness may be at the request of

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[S. 1035.]  
[Public, No. 483.]

United States courts.  
Subpoena to a consul from a Federal court, if a citizen abroad refuses to answer letters rogatory issued to a foreign court, to compel him to attend, etc.

Subpoena to a consul from a Federal court in a criminal action commanding a citizen to appear before the court.

Personal service by consul of subpoena, etc.

the clerk of the court issuing any subpoena under this Act or at the request of the officer causing such subpoena to be issued, to serve the same personally upon such witness and also to serve any orders to show cause, rules, judgments, or decrees when requested by the court or United States marshal, and to make a return thereof to the court out of which the same issued, first tendering to the witness the amount of his necessary expenses in traveling to and from the place at which the court sits and his attendance thereon, which amount shall be determined by the judge on issuing the order for the subpoena and supplied to the consul making the service.

Return thereof, first tendering witness his traveling expenses.

On refusal to appear, etc., witness may be adjudged guilty of contempt and punished accordingly.

Levy on property in United States of recusing witness, may be directed on issuing order of contempt.

Marshal to forward to consul copy of order adjudging witness guilty of contempt, to make personal service upon him.

Publication of order to be made.

If recusancy charge sustained, witness to be adjudged guilty of contempt.

Fine imposed, to be satisfied by sale of seized property, unless paid.

Reopening of judgment restricted.

Vol. 36, p. 1192.

SEC. 4. If the witness so served shall neglect or refuse to appear as in such subpoena directed, the court out of which it was issued shall, upon proof being made of the service and default, issue an order directing the witness to appear before the court at a time in such order designated to show cause why he should not be adjudged guilty of contempt and be punished accordingly.

SEC. 5. Upon issuing such order the court may, upon the giving of security for any damages which the recusing witness may have suffered, should the charge be dismissed (except that no security shall be required of the United States), direct as a part of such order that the property of the recusing witness, at any place within the United States, or so much thereof in value as the court may direct shall be levied upon and seized by the marshal of said court in the manner provided by law or the rule of the court for a levy or seizure under execution, to be held to satisfy any judgment that may be rendered against such witness in the proceeding so instituted.

SEC. 6. The marshal, having made such levy, shall thereupon forward to the consul of any country where the recusing witness may be a copy of the order to show cause why such witness should not be adjudged guilty of contempt with the request that said consul make service of the same personally upon the recusing witness, and shall cause to be published such order to show cause and for the sequestration of the property of such witness, in some newspaper of general circulation in the district within which the court issuing such order sits, once each week for six consecutive weeks.

SEC. 7. On the return day of such order or any later day to which the hearing may by the court be continued, proof shall be taken; and if the charge of recusancy against the witness shall be sustained, the court shall adjudge him guilty of contempt and, notwithstanding any limitation upon the power of the court generally to punish for contempt, impose upon him a fine not exceeding \$100,000 and direct that the amount thereof, with the costs of the proceeding, be satisfied, unless paid, by a sale of the property of the witness so seized or levied upon, such sale to be conducted upon the notice required and in the manner provided for sales upon execution.

SEC. 8. Any judgment rendered pursuant to this Act upon service by publication only may be opened for answer within the time and in the manner provided in section 57 of the Judicial Code.

Approved, July 3, 1926.

July 3, 1926.  
[S. 569.]  
[Public, No. 484.]

**CHAP. 763.**—An Act To authorize the transfer of surplus books from the Navy Department to the Interior Department.

Navy Department.  
Surplus books of  
use of Indian schools.

*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 is hereby authorized to transfer such books as may not be required for the uses of the Navy Department to the Interior Department as the Secretary of the Interior may consider useful for