

Saving clause.

(r) If any provision of this amendatory section, or the application thereof to any person or circumstances, is held invalid, the remainder of this amendatory section, or application of such provision to other persons or circumstances, shall not be affected thereby.

Pending proceedings governed by provisions of this Act.
Vol. 47, p. 1474; U. S. C., p. 337.

(s) Proceedings pending under this section (Act of March 3, 1933) on the effective date of this amendatory section shall continue under, and be governed by, the provisions of this amendatory section: *Provided*, That the enactment of this amendatory section shall not invalidate any action taken before its effective date pursuant to this section as it existed prior to the enactment of this amendatory section.

Proviso.
Prior action not invalidated.

Approved, August 27, 1935.

[CHAPTER 775.]

AN ACT

August 27, 1935.

[H. R. 8977.]

[Public, No. 382.]

To authorize the Secretary of the Treasury to acquire a site for the erection of a post-office building at Columbus, Mississippi.

Columbus, Miss.
Acquisition of site for public building at.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury, subject to the availability of appropriated moneys therefor, is authorized, in his discretion, to acquire a new site in the city of Columbus, county of Lowndes, State of Mississippi, and to construct a post-office building thereon.

Lease authorized.

SEC. 2. That the Secretary of the Treasury may acquire such site by lease rather than by purchase, if in his discretion it is deemed desirable that the site should be located in section 16, fractional township 18, south of range 18, west of the basis meridian of Madison County, Alabama, in which section the said city of Columbus is in large part situated; in which case the Secretary of the Treasury may lease such site from the mayor and city council of the city of Columbus, at such rental as he deems reasonable, for a term of ninety-nine years from the 1st day of August 1921, renewable forever, as provided by Acts of the Legislature of Mississippi approved December 13, 1830 (Laws of Mississippi, 1830, ch. II), and March 20, 1914 (Laws of Mississippi, 1914, ch. 462), or may obtain by assignment, by condemnation, or otherwise, an existing lease, for the same term, of such site.

Appropriation authorized; limitation waived.
Vol. 47, p. 412; U. S. C., p. 1771.

SEC. 3. There is authorized to be appropriated, without regard to the limitations of section 322 of part II of the Legislative Appropriation Act for the fiscal year ending June 30, 1933, approved June 30, 1932, such amounts as may be necessary to pay the installments of rent provided for in a lease obtained pursuant to the authority contained in section 2 of this Act: *Provided*, That the first annual installment of rent and the original purchase price, if any, of such lease shall be paid out of any funds made available for the acquisition of the site and the construction of a building thereon.

Proviso.
Payment.

Approved, August 27, 1935.

[CHAPTER 776.]

JOINT RESOLUTION

August 27, 1935.

[H. J. Res. 129.]

[Pub. Res., No. 59.]

To amend the joint resolution entitled "Joint resolution for the relief of Porto Rico", approved December 21, 1928, to permit an adjudication with respect to liens of the United States arising by virtue of loans under such joint resolution.

Puerto Rican relief.
Vol. 45, p. 1067,
amended.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution entitled "Joint resolution for the relief of Porto Rico", approved December 21, 1928, is hereby amended by adding at the end thereof a new section reading as follows:

“SEC. 7. (a) Upon the conditions herein prescribed for the protection of the United States, the consent of the United States is given, to be named a party in any suit which is now pending or which may hereafter be brought in any of the insular courts of the island of Puerto Rico by the Federal Land Bank of Baltimore or the Federal Farm Mortgage Corporation for the foreclosure of any mortgage or other lien upon real estate for the purpose of any mortgage or other lien upon real estate for the purpose of ¹ securing an adjudication touching any junior mortgage or other junior lien the United States may have or claim by virtue of loans made pursuant to the provisions of this joint resolution. Service upon the United States shall be made by serving the process of the court with a copy of the bill of complaint upon the United States attorney for the district or division in which the suit has been or may be brought and by sending copies of the process and bill, by registered mail, to the Attorney General of the United States at Washington, District of Columbia. The United States shall have sixty days after service as above provided, or such further time as the court may allow, within which to appear and answer, plead, or demur. Any such suit brought against the United States in any insular court may be removed by the United States to the United States District Court for the district in which the suit may be pending. The removal shall be effected in the manner prescribed by section 29 of the Judicial Code (U. S. C., title 28, sec. 72): *Provided*, That the petition for removal may be filed at any time before the expiration of thirty days after the time herein or by the court allowed by the United States to answer, and no removal bond shall be required. The court to which the cause is removed may, before judgment, remand it to the insular court if it shall appear that there is no real dispute respecting the rights of the United States, or all the other parties shall concede of record the claims of the United States. Except as herein otherwise provided, a judicial sale made in pursuance of a judgment in such a suit shall have the same effect respecting the discharge of the property from liens and encumbrances held by the United States as may be provided with respect to such matters by the law of Puerto Rico and in which island the land is situated: *Provided*, That a sale to satisfy a lien inferior to one of the United States shall be made subject to and without disturbing the lien of the United States, unless the United States, by its attorneys, consents that the property may be sold free of its mortgage or lien and the proceeds divided as the parties may be entitled. In any case where the debt to the United States is due, the United States may ask, by way of affirmative relief, for the foreclosure of its own lien or mortgage and in any case where the property is sold to satisfy a first mortgage or first lien held by the United States, the United States may bid at the sale such sum not exceeding the amount of its claim with expenses of sale, as may be directed by the chief of the department, bureau, or other agency of the Government which has charge of the administration of the laws in respect of which the claim of the United States arises. No judgment for costs or other money judgment shall be rendered against the United States in any suit or proceeding which may be instituted under the provisions of this section. Nor shall the United States be or become liable for the payment of the costs of any such suit or proceeding or any part thereof: *Provided*, That if the Federal Land Bank of Baltimore or the Federal Farm Mortgage Corporation acquire the property involved in the proceedings in which the United States was made a party under the provisions of this section, any amount the Federal Land Bank of Baltimore or the Federal Farm Mortgage Corporation may receive upon the ultimate disposition of the property, exceeding the amount of its investment, but

Mortgage foreclosures, etc.
Consent to name Government party defendant in suits involving, granted.

Service of process upon United States.

Removal of suits from insular courts.

U. S. C., p. 1234.

Provisos.
Procedure.

Judicial sales; effect of.

Satisfying lien inferior to that of Government.
Exception.

Foreclosure of Government's liens, etc.

No Federal liability for costs.

Sums over certain investments to be paid to Hurricane Relief Commission.

¹ So in original.

not to exceed the amount of the Commission's lien, shall be paid by the said bank or the said corporation to the Puerto Rican Hurricane Relief Commission.

Priorities arising out of reamortization agreements.

"(b) The Hurricane Relief Commission is hereby authorized to waive any priorities it may have or claim over liens in favor of the Federal Land Bank of Baltimore, such priorities arising out of reamortization agreements entered into between the Federal Land Bank of Baltimore and its borrowers who are also indebted to the Commission.

Method of extinguishing liens without judicial proceedings.

"(c) If the Federal Land Bank of Baltimore or the Federal Farm Mortgage Corporation acquires or deems it necessary to acquire by foreclosure proceedings any real or personal property in Puerto Rico by virtue of a lien upon the said referred property duly filed of record in the jurisdiction in which the same is located, and a junior lien in favor of the United States attached to such property by virtue of loans made pursuant to the provisions of this joint resolution the said banking institution may make a written request to the Puerto Rican Hurricane Relief Commission to have the same extinguished. If after appropriate investigation, it appears to such Commission that the proceeds from the sale of the property would be insufficient to satisfy in whole or in part, the lien of the United States, or that the claim of the United States has been satisfied, or by lapse of time or otherwise has become unenforceable, such Commission shall so report to the Comptroller General, who thereupon may authorize it to issue a certificate of release, which shall operate to release the property from such lien: *Provided*, That any amount that may be realized by the Federal Land Bank of Baltimore or the Federal Farm Mortgage Corporation in the ultimate sale of this property, over and above its investment, but not to exceed the amount of the Commission's lien, shall be paid by the said bank or the said Corporation to the Puerto Rican Hurricane Relief Commission.

Issue of certificate of release.

Proviso.
Any amount over investment to be paid to Hurricane Relief Commission.

Terms defined.
"Puerto Rican Hurricane Relief Commission"; "Hurricane Relief Commission"; "Commission".

"(d) For the purposes of this section the terms 'Puerto Rican Hurricane Relief Commission', 'Hurricane Relief Commission', and 'Commission' shall be deemed to refer to the department, bureau, or other agency of the Government having charge of the administration of this resolution."

Approved August 27, 1935.

[CHAPTER 777.]

JOINT RESOLUTION

August 27, 1935.
[H. J. Res. 257.]
[Pub. Res., No. 60.]

To amend a joint resolution entitled "Joint resolution for the relief of Porto Rico", approved December 21, 1928, as amended by the Second Deficiency Act, fiscal year 1929, approved March 4, 1929.

Puerto Rican relief.
Vol. 45, p. 1067; Vol. 45, p. 1627, amended.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in carrying out the provisions of the joint resolution entitled "Joint resolution for the relief of Porto Rico", approved December 21, 1928, as amended by the Second Deficiency Act, fiscal year 1929, approved March 4, 1929, the Puerto Rican Hurricane Relief Commission or its successor is authorized, when in the judgment of the Commission or its successor it is consistent with the best interests of the United State¹, to make, in the name of the United States or in its own name for and on behalf of the United States, compositions and adjustments in any loans heretofore made by it upon the security of land or other property, real or personal, in the island of Puerto Rico, either by reduction in the rate of interest or in the indebtedness or

Puerto Rican Hurricane Relief Commission, etc., authorized to make adjustments of its loans.

¹ So in original.