

twenty feet to a point in the lake cove, thence south sixty-six degrees thirty-three minutes west one hundred and ninety feet to the south corner an iron pin located two thousand three hundred and seventy-three and two-tenths feet north and one thousand and thirty-two and five-tenths feet east of the quarter corner between sections 1 and 2, township 48 north, range 25 west, thence north twenty-three degrees twenty-seven minutes west two hundred and twenty feet to the place of beginning, the said forty-foot-square parcel being further particularly described as beginning at a point located north one degree thirty minutes, east twenty feet from the most northerly corner of the parcel of land reserved by the United States of America, as above described, and running thence south eighty-eight degrees thirty minutes east twenty feet, thence north one degree thirty minutes east forty feet, thence north eighty-eight degrees thirty minutes west forty feet, thence south one degree thirty minutes west forty feet, and thence south eighty-eight degrees thirty minutes east twenty feet to the place of beginning."

Confirmation of
grant to city.
24 Stat. 144.

Jurisdiction over
revested portion.

SEC. 2. The grant to the city of Marquette of the land described in section 2 of the Act of July 12, 1886, is hereby confirmed and ratified, subject to the provisions and conditions contained in said section, except that portion thereof revested in the United States pursuant to this Act, which tract shall be and is hereby placed under the jurisdiction and control of the Department of the Treasury for Coast Guard purposes.

Approved, December 16, 1941.

[CHAPTER 580]

AN ACT

December 16, 1941
[H. R. 527]
[Public Law 343]

To amend the Canal Zone Code with respect to the trial of joint defendants, the removal of fugitives from justice, and the regulation of criminal procedure in the Canal Zone.

Canal Zone Code,
amendments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 365 of title 6 of the Canal Zone Code be, and it is hereby, amended to read as follows:

"365. TRIAL OF DEFENDANTS JOINTLY CHARGED.—When two or more defendants are jointly charged with any offense, they shall be tried jointly, unless the court orders separate trials. The court in its discretion may order a separate trial as to one or more defendants, and a joint trial as to the others, or may order any number of the defendants to be tried at one trial, and any number of the others at different trials, or may order a separate trial for each defendant."

SEC. 2. Article 2, chapter 26, title 6, of the Canal Zone Code is amended by adding, immediately after section 861, a new section numbered 861a and reading as follows:

"861a. ARREST AND REMOVAL TO OR FROM THE CANAL ZONE.—The provisions of section 1014, Revised Statutes of the United States, as amended (U. S. C., title 18, sec. 591), so far as applicable, shall apply throughout the United States for the arrest and removal therefrom to the Canal Zone of any fugitive from justice charged with the commission of any crime or offense against the United States within the Canal Zone, and shall apply within the Canal Zone for the arrest and removal therefrom to the United States of any fugitive from justice charged with the commission of any crime or offense against the United States. Such fugitive may, by any judge or magistrate of the Canal Zone, and agreeably to the usual mode of process against offenders therein, be arrested and imprisoned or bailed, as the case may be, pending the issuance of a warrant for his removal to the United States, which warrant it shall be the duty

of a judge of the district court seasonably to issue, and of the officer or agent of the United States designated for the purpose to execute. Such officer or agent, when engaged in executing such warrant without the Canal Zone, shall have all the powers of a marshal of the United States so far as such powers are requisite for the prisoner's safe keeping and the execution of the warrant."

SEC. 3. Chapter 2, title 7, of the Canal Zone Code is amended by adding, immediately after section 26, a new section numbered 26a and reading as follows:

"26a. RULES OF CRIMINAL PROCEDURE.—In respect to matters not covered by this code, the United States District Court for the District of the Canal Zone may adopt rules governing its criminal procedure, not inconsistent with the laws of the United States."

Approved, December 16, 1941.

[CHAPTER 581]

AN ACT

To amend the Canal Zone Code.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2264 of title 3 of the Canal Zone Code, approved June 19, 1934, is hereby amended to read as follows:

"2264. WHEN VOID AS TO THIRD PERSONS.—A mortgage of personal property is void as against creditors of the mortgagor and subsequent purchasers and encumbrancers of the property in good faith and for value, unless—

"1. It is accompanied by the affidavit of all the parties thereto that it is made in good faith and without any design to hinder, delay, or defraud creditors;

"2. It is acknowledged or proved and certified in the manner prescribed in chapter 22 of this title; and

"3. It, or a true copy, is filed in the office of the registrar of property of the Canal Zone."

SEC. 2. That section 2265 of title 3 of the Canal Zone Code is hereby amended to read as follows:

"2265. FILING.—The registrar of property shall mark upon the mortgage of personal property, or copy, filed with him the day and hour of filing and shall file the mortgage, or copy, in his office for public inspection. He shall keep a separate book in which he shall enter the names of the mortgagor and the mortgagee, the date of the mortgage, the day and hour of filing, a brief description of the property mortgaged and the amount of the mortgage. Such book shall be indexed under the names of both mortgagor and mortgagee. For filing and entering such mortgage or copy, or any assignment of such mortgage, the registrar shall be entitled to a fee of 50 cents."

SEC. 3. That article 2, chapter 63, title 3, Canal Zone Code, is hereby amended by adding, immediately after section 2265, a new section numbered 2265a and reading as follows:

"2265a. FILING ASSIGNMENT OF MORTGAGE, NOTICE TO MORTGAGOR.—An assignment of a mortgage of personal property may be filed in like manner as a mortgage of personal property, and each filing operates as notice to all persons subsequently deriving title to the mortgage from the assignor: *Provided*, That when a mortgage of personal property is executed as security for money due, or to become due, on a promissory note, bond, or other instrument designated in the mortgage, the filing of the assignment of the mortgage is not, of itself, notice to a mortgagor, his heirs, or personal representatives, so as to invalidate any payment made by them, or either of them, to the person holding such note, bond, or other instrument."

December 16, 1941
[H. R. 529]
[Public Law 344]

Canal Zone Code,
amendments.

Mortgage of per-
sonal property.

Manner of filing
and indexing.

Assignment of mort-
gage.

Proviso.