

ping of these ships for mine-laying duty, the President is hereby authorized to appoint him, by and with the advice and consent of the Senate, a rear admiral on the retired list of the Navy: *Provided*, That no increase nor back pay or allowances of any kind shall accrue as a result of the passage of this Act.

Approved, March 3, 1927.

CHAP. 309.—An Act To prevent the destruction or dumping, without good and sufficient cause therefor, of farm produce received in interstate commerce by commission merchants and others and to require them truly and correctly to account for all farm produce received by them.

Proviso.
No back pay, etc.

March 3, 1927.
[H. R. 10510.]
[Public, No. 712.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That after June 30, 1927, any person, firm, association, or corporation receiving any fruits, vegetables, melons, dairy, or poultry products or any perishable farm products of any kind or character, hereinafter referred to as produce, in interstate commerce, or in the District of Columbia, for or on behalf of another, who without good and sufficient cause therefor, shall destroy, or abandon, discard as refuse or dump any produce directly or indirectly, or through collusion with any person, or who shall knowingly and with intent to defraud make any false report or statement to the person, firm, association, or corporation from whom any produce was received, concerning the handling, condition, quality, quantity, sale or disposition thereof, or who shall knowingly and with intent to defraud fail truly and correctly to account therefor shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$100 and not more than \$3,000, or by imprisonment for a period of not exceeding one year, or both, at the discretion of the court. The Secretary of Agriculture shall by regulation provide for the making of prompt investigations and the issuing of certificates as to the quality and condition of produce received in interstate commerce or in the District of Columbia, upon application of any person, firm, association, or corporation shipping, receiving, or financially interested in, such produce. Such regulations shall designate the classes of persons qualified and authorized to make such investigations and issue such certificates, except that any such investigation shall be made and any such certificate shall be issued by at least two disinterested persons in any case where such investigation is not made by an officer or employee of the Department of Agriculture or of any State or political subdivision thereof or of the District of Columbia. A certificate made in compliance with such regulations shall be prima facie evidence in all Federal courts of the truth of the statements therein contained as to the quality and condition of the produce; but if any such certificate is put in evidence by any party, in any civil or criminal proceeding, the opposite party shall be permitted to cross-examine any person signing such certificate, called as a witness at the instance of either party, as to his qualifications and authority and as to the truth of the statements contained in such certificate.

Perishable farm products.
Destroying, dumping, etc., without good cause therefor, by receiver in interstate commerce, a misdemeanor.

Making false statement to shipper.

Punishment for.

Regulations for investigations and certificates of quality upon application of interested party.

Issuing of certificates.

Certificate prima facie evidence of quality, etc.

Defense admitted.

Enforcement by Secretary of Agriculture.

SEC. 2. The Secretary of Agriculture is hereby authorized and directed to enforce this Act. It is hereby made the duty of all United States attorneys to prosecute cases arising under this Act, subject to the supervision and control of the Department of Justice.

SEC. 3. The Secretary of Agriculture may make such rules and regulations as he may deem advisable to carry out the provisions of this Act and may cooperate with any department or agency of the Government, any State, Territory, District, or possession, or department, agency, or political subdivision thereof, or any person;

Rules to be prescribed, and cooperation with Federal agencies, States, etc., authorized.

Employees, administrative expenses, etc.

Amount authorized for fiscal year.

Former statutes not abrogated, etc.

Invalidity of any provision not to affect remainder of Act.

and may call upon any Federal department, board, or commission for assistance in carrying out the purposes of this Act; and shall have the power to appoint, remove, and fix the compensation of such officers and employees not in conflict with existing law and make such expenditure for rent, outside the District of Columbia, printing, telegrams, telephones, books of reference, books of law, periodicals, newspapers, furniture, stationery, office equipment, travel, and other supplies and expenses as shall be deemed necessary to the administration of this Act in the District of Columbia and elsewhere, and there is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of \$25,000 to be available for expenditure during the fiscal year beginning July 1, 1927, and the appropriation of such additional sums as may be necessary thereafter to carry out the purposes of this Act is hereby authorized. This Act shall not abrogate nor nullify any other statute, whether State or Federal, dealing with the same subjects as this Act, but it is intended that all such statutes shall remain in full force and effect, except in so far only as they are inconsistent herewith or repugnant hereto.

SEC. 4. If any provision of this Act is declared unconstitutional or the applicability thereof to any person or circumstance is held invalid, the validity of the remainder of the Act and the applicability of such provisions to other persons and circumstances shall not be affected thereby.

Approved, March 3, 1927.

March 3, 1927.

[S. 2081.]

[Public, No. 713.]

CHAP. 310.—An Act Placing certain noncommissioned officers in the first grade.

Army.
Noncommissioned officers placed in first grade.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following noncommissioned officers on the retired list of the Regular Army are placed in the first grade: Post ordnance sergeants, post commissary sergeants, and post quartermaster sergeants on the retired list; electrician sergeants, first class, Coast Artillery Corps, retired; quartermaster sergeants, Quartermaster Corps, retired prior to June 3, 1916; hospital stewards retired prior to March 2, 1903, and sergeants, first class, Hospital Corps, retired prior to June 3, 1916.

Approved, March 3, 1927.

March 3, 1927.

[H. R. 15131.]

[Public, No. 714.]

CHAP. 311.—An Act To authorize the Secretary of the Navy to modify agreements heretofore made for the settlement of certain claims in favor of the United States.

Navy.
Acceptance of settlement of certain ship-building claims, authorized.

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 be, and he is hereby, authorized, in his discretion, to accept in full settlement from debtors of the United States the present value reckoned at the rate of 4 $\frac{1}{4}$ per centum per annum simple interest of all noninterest-bearing obligations for the repayment of money advanced to said debtors to assist them in carrying out contracts with the United States entered into during the late war, such contracts having been executed by the Secretary of the Navy on behalf of the United States or by others acting under his authority.

Approved, March 3, 1927.