

Public Law 90-357

AN ACT

To correct and improve the Canal Zone Code, and for other purposes.

June 22, 1968
[H. R. 13439]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the list of titles of the Canal Zone Code, preceding title 1 of the Code, is amended by striking out

Canal Zone
Code, amendm.
76A Stat. 1.

“5. CIVIL PROCEDURE GENERALLY.”,
and in lieu thereof inserting

“5. CIVIL PROCEDURE AND EVIDENCE.”

SEC. 2. The list of chapters of title 1, Canal Zone Code, preceding chapter 1 of such title, is amended by striking out, in item numbered 5 thereof, the word “DEFINITIONS”, and in lieu thereof inserting the word “CONSTRUCTION”, so that the item will read:

“5. RULES OF CONSTRUCTION----- 61”.

SEC. 3. The heading of chapter 5 of title 1, Canal Zone Code, preceding the analysis of sections in that chapter, is amended by striking out the word “DEFINITIONS” therein, and in lieu thereof inserting the word “CONSTRUCTION”, so that the heading will read:

“CHAPTER 5—RULES OF CONSTRUCTION”

SEC. 4. The definition of “aircraft” in section 61 of title 1, Canal Zone Code, is amended by inserting the word “any” immediately preceding the word “contrivance”.

“Aircraft.”

SEC. 5. Chapter 5 of title 1, Canal Zone Code, is further amended by adding a new section thereto, immediately following section 66 of title 1, to read as follows:

“§ 67. Scope of applicability of United States Code sections

“The applicability to and within the Canal Zone, of the several sections of the United States Code, provided for by various provisions of the Canal Zone Code, extends to and includes any and all amendments which may be made from time to time after January 2, 1963, to those sections.”

SEC. 6. The section analysis of chapter 5 of title 1, Canal Zone Code, preceding section 61 thereof, is amended by adding, immediately underneath item 66 in the analysis, the following new item:

“67. Scope of applicability of United States Code sections.”

SEC. 7. Section 34 of title 2, Canal Zone Code, is amended by striking out the words “officer of the Army” and in lieu thereof inserting the words “officer of the Armed Forces”.

SEC. 8. Subsection (f) of section 62, title 2, Canal Zone Code, is amended by striking out the final paragraph thereof, reading as follows:

“The net costs of operation of the Canal Zone Government, which are deemed to form an integral part of the costs of operation of the Panama Canal enterprise as a whole, shall not include interest but shall include depreciation and the reimbursement of other Government agencies for expenditures made on behalf of the Canal Zone Government. The payments into the Treasury, referred to in this subsection, shall be made annually to the extent earned, and if not earned shall be made from subsequent earnings unless the Congress otherwise directs.”

SEC. 9. Subsection (g) of section 62, title 2, Canal Zone Code, is amended by adding the following paragraph at the end thereof:

Panama Canal
Company, opera-
tion costs.

“The net costs of operation of the Canal Zone Government, which are deemed to form an integral part of the costs of operation of the

Panama Canal enterprise as a whole, shall not include interest but shall include depreciation and the reimbursement of other Government agencies for expenditures made on behalf of the Canal Zone Government. The payments into the Treasury, referred to in this subsection, shall be made annually to the extent earned, and if not earned shall be made from subsequent earnings unless the Congress otherwise directs."

76A Stat. 22.

SEC. 10. Section 233 of title 2, Canal Zone Code, is amended by striking out the word "and" following the word "medical" and preceding the word "hospital", and in lieu thereof inserting the word "or".

SEC. 11. The analysis of sections for chapter 19 of title 2, Canal Zone Code, preceding section 451 of that chapter, is amended by striking out

"471. Declaration and findings."

and

"472. Construction, maintenance, and operation of bridge."

Bridges.

SEC. 12. (a) Chapter 21 of title 2, Canal Zone Code, is amended by inserting the following section analysis immediately preceding section 471 thereof:

"Sec.

"471. Declaration and findings.

"472. Construction, maintenance, and operation of bridge."

(b) Paragraph (4) of section 471 of title 2, Canal Zone Code, is amended by striking out "direction" in the third line and in lieu thereof inserting "directive".

SEC. 13. The list of chapters of title 2, part 2, Canal Zone Code, preceding chapter 51 of such title, is amended by striking out, in item numbered 65 thereof, the word "BRIDGES;" so that the item will read:

"65. HIGHWAYS, ROADS, AND VEHICLES----- 1001".

SEC. 14. (a) The analysis of sections for chapter 73 of title 2, Canal Zone Code, preceding section 1131 of that chapter, is amended by striking out in item numbered 1136 thereof, the word "fees" and in lieu thereof inserting the word "funds" so that the item will read:

"1136. Control of money-order and postal-savings funds."

(b) The catchline to section 1136 of title 2, Canal Zone Code, is amended by striking out the word "fees" and in lieu thereof inserting the word "funds".

Publication of
regulations.
76A Stat. 50.

SEC. 15. (a) Subsection (a) of section 1541 of title 2, Canal Zone Code, is amended by inserting the reference "155," following the word "sections" and by inserting the words "and section 1654 of title 5" following the word "title" and before the word "shall".

(b) Subsection (b) of section 1541 of title 2, Canal Zone Code, is amended by striking out the reference "6225", and in lieu thereof inserting "6625", and by inserting the reference "2573," between "2061," and "4782".

76A Stat. 83.

SEC. 16. The analysis of sections preceding subchapter I of chapter 11, title 4, Canal Zone Code, is amended by striking out

"200. Future interests; posthumous children."

and

"201. Transfer of title to future interests."

and

"202. Future interests; possibilities."

and in lieu thereof inserting

"200. Same; posthumous children.",

and

"201. Same; transfer of title.",

and

"202. Same; possibilities.",

respectively.

SEC. 17. Subsection (a) of section 423 of title 4, Canal Zone Code, is amended by striking out, in the third sentence thereof, the word "bought" and in lieu thereof inserting the word "brought".

76A Stat. 89.

SEC. 18. Section 1391 of title 4, Canal Zone Code, is amended by striking out the reference "40-105" and in lieu thereof inserting "45-105".

76A Stat. 126.

SEC. 19. The analysis of sections preceding subchapter I of chapter 45, title 4, Canal Zone Code, is amended by striking out the item

"1441. No property passes until goods are ascertained.",

and in lieu thereof inserting

"1441. Property not to pass until goods are ascertained."

SEC. 20. The introductory clause of subsection (a) of section 1492, title 4, Canal Zone Code, is amended to read as follows:

Unpaid seller,
rights.

"(a) Subject to the provisions of this chapter, notwithstanding that the property in the goods may have passed to the buyer, the unpaid seller of the goods, as such, has:"

SEC. 21. The introductory provisions of subsection (a) of section 1493 of title 4, Canal Zone Code, preceding clause (1) thereof, are amended by striking out the words "notwithstanding that" and in lieu thereof inserting "the unpaid seller of".

SEC. 22. Section 1582 of title 4, Canal Zone Code, is amended by striking out, after "goods, or", the word "remove" and in lieu thereof inserting the word "removes".

SEC. 23. The analysis of sections preceding subchapter I of chapter 51, title 4, Canal Zone Code, is amended by striking out the word "claims" in item numbered 1791, and in lieu thereof inserting "claim", so that the item will read:

"1791. Warehouseman has reasonable time to determine validity of claim."

SEC. 24. Section 1898 of title 4, Canal Zone Code, is amended by striking out the word "compensates" following the words "ownership, and", and in lieu thereof inserting the word "compensate".

SEC. 25. The catchline to section 1971 of title 4, Canal Zone Code, is amended by striking the comma following the word "time", and in lieu thereof inserting a semicolon.

SEC. 26. Paragraph (3) of section 3182 of title 4, Canal Zone Code, is amended by inserting the word "sections" after the word "of" and preceding the reference "3151-3157".

SEC. 27. Section 4123 of title 4, Canal Zone Code, is amended by striking out the word "encumbrances" and in lieu thereof inserting "encumbrancers".

SEC. 28. Section 4726 of title 4, Canal Zone Code, is amended by striking out the word "partly" and in lieu thereof inserting "party".

SEC. 29. Section 413 of title 5, Canal Zone Code, is amended by inserting the subsection symbol "(a)" at the beginning of the first paragraph.

76A Stat. 306.

SEC. 30. The section analysis of chapter 15 of title 5, Canal Zone Code, preceding subchapter I of that chapter, is amended by striking

out, in the heading of subchapter I, as it appears in the analysis, "JUDGEMENTS", and in lieu thereof inserting "JUDGMENTS", so that the heading will read:

"SUBCHAPTER I—JUDGMENTS GENERALLY"

76A Stat. 316. SEC. 31. Items (A), (B), and (C) of subparagraph (6) of section 548 of title 5, Canal Zone Code, are amended to read as follows:

"(A) all of so much of the gross earnings as does not exceed \$40 per week;

"(B) 80 percent of so much of the gross earnings as exceeds \$40 per week and does not exceed \$100 per week; and

"(C) 50 percent of so much of the gross earnings as exceeds \$100 per week;"

SEC. 32. Section 1814 of title 5, Canal Zone Code, is amended by inserting the subsection symbol "(a)" at the beginning of the first paragraph.

SEC. 33. The introductory provisions of section 2962 of title 5, Canal Zone Code, preceding paragraph (1) thereof, are amended by striking out "heresay", preceding the word "evidence", and in lieu thereof inserting "hearsay".

76A Stat. 412. SEC. 34. The section analysis of chapter 1 of title 6, Canal Zone Code, preceding subchapter I of that chapter, is amended as follows:

(1) in item numbered 42, by striking out the word "of", and in lieu thereof inserting "on", so that the item will read:

"42. Conviction on testimony of accomplice; accomplice defined.;"

and

(2) in item numbered 131, by striking out the word "crimes", and in lieu thereof inserting "offenses", so that the item will read:

"131. Arrest only for offenses declared in Code; exceptions."

SEC. 35. Section 461 of title 6, Canal Zone Code, is amended by striking out the reference "214" wherever it appears therein, and in lieu thereof inserting "210".

SEC. 36. Section 462 of title 6, Canal Zone Code, is amended by striking out the reference "215" wherever it appears therein, and in lieu thereof inserting "211".

SEC. 37. Section 543 of title 6, Canal Zone Code, is amended by striking out, after "intent" and preceding "arousing", the word "or", and in lieu thereof inserting "of".

SEC. 38. Section 988 of title 6, Canal Zone Code, is amended by striking out, in paragraph (1) thereof, the word "entitled" and in lieu thereof inserting "entitle".

SEC. 39. Subparagraph (4) of section 1132 of title 6, Canal Zone Code, is amended by striking out the word "quality" and in lieu thereof inserting "quantity".

SEC. 40. The section analysis of chapter 79 of title 6, Canal Zone Code, preceding subchapter I of that chapter, is amended by striking out the item numbered 1564, and in lieu thereof inserting:

"1564. Opening or injuring fence."

76A Stat. 495. SEC. 41. Paragraph (1) of subsection (b) of section 2572 of title 6, Canal Zone Code, and subsection (c) of such section, are amended by striking out the words "chief of police and fire division", where they appear therein, and in lieu thereof inserting the words "Chief, Police Division".

SEC. 42. Section 3841 (a) of title 6, Canal Zone Code, is amended by striking out "exent" in the third line and in lieu thereof inserting "extent".

76A Stat. 508.

SEC. 43. Section 3847 of title 6, Canal Zone Code, is amended by striking out the words "of this chapter" following the word "provisions" and preceding the word "apply".

SEC. 44. Subparagraph (1) of section 41 of title 7, Canal Zone Code, is amended by striking out, after "thereof", the word "to", and in lieu thereof inserting "by".

76A Stat. 597.

SEC. 45. Section 1412 of title 7, Canal Zone Code, is amended by striking out the word "decendent" in the third sentence, and in lieu thereof inserting "decedent".

SEC. 46. The sectional analysis of chapter 73 of title 7, Canal Zone Code, preceding subchapter I of that chapter, is amended as follows:

- (1) in item numbered 1744, by striking out the word "or", and in lieu thereof inserting "of", so that the item will read:

"1744. Execution of notes and instruments of security.";

and

- (2) in item numbered 1773, by striking out the word "order", and in lieu thereof inserting "orders", so that the item will read:

"1773. Hearings; objections; orders; compliance."

SEC. 47. Section 1779 of title 7, Canal Zone Code, is amended by striking out, after "person", the word "entitle" and in lieu thereof inserting the word "entitled".

SEC. 48. The section analysis of chapter 75 of title 7, Canal Zone Code, preceding subchapter I of that chapter, is amended by striking out the word "accounts" in item numbered 1858, and in lieu thereof inserting "account", so that the item will read:

"1858. Exceptions to account; hearing; reference."

SEC. 49. The catchline to section 1858 of title 7, Canal Zone Code, is amended by striking out the word "referees", and in lieu thereof inserting "references".

SEC. 50. The section analysis of chapter 77 of title 7, Canal Zone Code, preceding subchapter I of that chapter, is amended by adding, immediately underneath item numbered 1923, the following item:

"1924. Ratable distribution."

SEC. 51. Section 1954 of title 7, Canal Zone Code, is amended by striking out the word "include" in the second sentence, and in lieu thereof inserting "included".

SEC. 52. The second sentence of section 2502 of title 7, Canal Zone Code, is amended by striking out, after "persons", the word "at", and in lieu thereof inserting "as".

SEC. 53. Section 2504 of title 7, Canal Zone Code, exclusive of the catchline to the section, is amended to read as follows:

"In appointing a trustee, the court shall prefer the spouse of the missing person, or his or her nominee, and, in the absence of a spouse, a person who is willing to act, and who would be entitled to participate in the distribution of the missing person's estate if he or she were dead."

Estates of
missing persons,
appointment of
trustee.

76A Stat. 640.

SEC. 54. Subsection (a) of section 3007 of title 7, Canal Zone Code, is amended by striking out, after the subsection symbol "(a)", the word "after", and in lieu thereof inserting "After".

SEC. 55. The section analysis of chapter 135 of title 7, Canal Zone Code, preceding section 3081 of that title, is amended by striking out,

in item numbered 3088, the word "Investments", and in lieu thereof inserting "Investment", so that the item will read:

"3088. Investment and management of wards' estates; orders of court."

76A Stat. 658.

SEC. 56. Section 3082 of title 7, Canal Zone Code, is amended by inserting after "bond", and preceding "the failure", the words "for any injury to the estate or a person interested therein, arising from".

SEC. 57. Subsection (b) of section 3201 of title 7, Canal Zone Code, is amended by striking out the word "obtaining" and in lieu thereof inserting "attaining".

76A Stat. 675.

SEC. 58. The second sentence of section 35 of title 8, Canal Zone Code, is amended by striking out the word "text" and in lieu thereof inserting "test".

SEC. 59. Subsection (a) of section 14 of title 18, United States Code, as last amended by subsection (a) of section 3 of the Act of October 18, 1962 (Public Law 87-845, 76A Stat. 698), is amended as follows:

(1) by inserting the words "as amended from time to time," following the word "title" and before the word "apply";

(2) by inserting the references "203, 205, 207, 208, 209, 210, 211, 218," following the reference to "202,"; and

(3) by striking out "1914."

Repeals.
76A Stat. 428,
432.

SEC. 60. Sections 468, 469, and 691 of title 6, Canal Zone Code, are hereby repealed.

Approved June 22, 1968.

Public Law 90-358

AN ACT

To remove certain limitations on ocean cruises.

June 22, 1968
[H. R. 12639]

Ocean cruise
vessels.
Removal of cer-
tain limitations.
75 Stat. 89.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 613 (b) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1183), is amended to read as follows:

"(b) If the Secretary of Commerce finds that the operation of any passenger vessel with respect to which a contract for the payment of an operating-differential subsidy has been entered into under section 603 of this title effective before January 2, 1960, is required for at least one-third of each year, but not for all of each year, in order to furnish adequate service on the service, route, or line covered by such contract, he may amend such contract to agree to pay an operating-differential subsidy for operation of the vessel (1) on such service, route, or line for such part of each year, and (2) on cruises for all or part of the remainder of each year if such specific cruise is approved by the Secretary of Commerce under subsection (d) of this section: *Provided, however,* That no such vessel may cruise for more than seven months of each year to ports which are regularly served by another United States-flag passenger vessel pursuant to an operating-differential subsidy contract."

46 USC 1173.

Repeal.

SEC. 2. (a) Subsection (d) of section 613 of the Merchant Marine Act, 1936, as amended, is hereby repealed.

(b) Subsections (e) and (f) of section 613 of the Merchant Marine Act, 1936, as amended, are hereby redesignated as subsections (d) and (e), respectively, including any references thereto.

Approved June 22, 1968.