

tion, and such certificate shall thereafter be considered as part of the original, and every patent or trade-mark registration, together with such certificate, shall have the same effect and operation in law on the trial of all actions for causes thereafter arising as if the same had been originally issued in such corrected form. All such certificates heretofore issued in accordance with the rules of the Patent Office and the patents or trade-mark registrations to which they are attached shall have the same force and effect as if such certificates had been specifically authorized by statute.

Made a part and with legal effect of the original.

Previous certificates validated.

SEC. 2. That section 892 of the Revised Statutes be, and the same is hereby, amended to read as follows:

Records, etc.

“SEC. 892. Written or printed copies of any records, books, papers, or drawings belonging to the Patent Office, of letters patent, of certificates of registration of trade-marks, labels, or prints, authenticated by the seal of the Patent Office and certified by the commissioner thereof, or in his name attested by a chief of division duly designated by the commissioner, shall be evidence in all cases where in the originals could be evidence; and any person making application therefor and paying the fee required by law shall have certified copies thereof.”

Copies authenticated by the seal and certified by Commissioner or other officer accepted as evidence.

Issue on paying fee.

SEC. 3. That section 11 of the Trade-Mark Act of February 20, 1905 (Thirty-third Statutes at Large, page 724), be, and the same is hereby, amended to read as follows:

Trade marks. Vol. 33, p. 727, amended.

“SEC. 11. That certificates of registration of trade-marks shall be issued in the name of the United States of America, under the seal of the Patent Office, and shall either be signed by the Commissioner of Patents or have his name printed thereon and attested by an Assistant Commissioner of Patents or by one of the law examiners duly designated by the Commissioner of Patents, and a record thereof, together with printed copies of the drawing and statement of the applicant, shall be kept in books for that purpose. The certificate shall state the date on which the application for registration was received in the Patent Office. Certificates of registration of trade-marks may be issued to the assignee of the applicant, but the assignment must first be entered of record in the Patent Office.”

Registration certificates to be under seal of Patent Office signed by Commissioner, etc.

Date of application.

Issue to assignee.

Approved, March 4, 1925.

CHAP. 536.—An Act Providing for sundry matters affecting the naval service, and for other purposes.

March 4, 1925.
[H. R. 2688.]
[Public, No. 611.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all men transferred from the Regular Navy to the Fleet Naval Reserve, who have heretofore reenlisted in the Navy, shall, from the date of reenlistment, be credited with pay, including subsequent increases therein, at the same rate, exclusive of retainer pay, that they were receiving when on active duty in the Navy as members of the Fleet Naval Reserve prior to date of reenlistment in the Navy.

Navy. Credit to men reenlisting after transfer to Fleet Naval Reserve.

That any enlisted man of the Navy or Marine Corps who has been discharged to enable him to be enrolled in the Naval Reserve Force or Marine Corps Reserve as a commissioned or warrant officer, and who has heretofore reenlisted in the Navy within four months from the date of termination of his service as an officer in the Naval Reserve Force or Marine Corps Reserve, shall be restored to the grade, rank, or rating held by him at time of discharge from the Navy to permit enrollment in the Naval Reserve Force or Marine Corps Reserve, and he shall be entitled from the date he has heretofore so reenlisted to the same rate of pay, including subsequent

Restoration to rank, etc., on reenlisting after discharge from service to be enrolled as officer in Reserve.

Fleet Naval Reserve. Members transferred to, from Navy and discharged to accept temporary appointment in Navy, on revocation to resume status in Reserve.

Provisos.
Pay, etc., on revocation of temporary appointment.

Retainer pay if reenlisting and again transferred to Reserve.

Enlisted men discharged and within four months enrolled as officer in Reserve, deemed transferred on date of discharge.

Proviso.
Pay, etc., from date of transfer.

Pay, etc., if discharged for enrollment as officer in Reserve, who is reduced to Navy rating at his own request, and serving unexpired enrollment period in the Navy.
Vol. 41, p. 141.

Charge of desertion.

May be relieved of deserter who since the charge, honorably served in the World War in force of Allies or United States.

increases therein, as he was receiving at time of discharge from the Navy to permit enrollment in the Naval Reserve Force.

That any member of the Fleet Naval Reserve, transferred thereto after sixteen or twenty years' service in the Navy, who has heretofore been discharged therefrom to accept temporary appointment as an officer in the regular Navy, shall upon the revocation of temporary appointment as an officer be deemed to have reverted to his former status in the Fleet Naval Reserve, and shall be entitled to retainer pay, including subsequent increases therein, at the same rate he was receiving prior to discharge from the Fleet Naval Reserve from the date he is herein deemed to have reverted to his former status therein: *Provided*, That reenlistment in the Navy following revocation of temporary appointment as an officer shall not deprive him of the benefits of this section, and he shall be entitled to receive the pay, including retainer pay, authorized for members of the Fleet Naval Reserve when on active duty during the period served under enlistment: *Provided further*, That nothing contained in this section shall be construed as changing the status or affecting the retainer pay of any person who, after termination of service as a temporary officer, reenlisted in the regular Navy and was again transferred to the Fleet Naval Reserve.

That enlisted men of the Navy who were discharged at expiration of enlistment and had completed sixteen or twenty years' service at the time of discharge, and were thereafter enrolled in the Naval Reserve Force within four months from date of discharge from the Navy and assigned provisional rank as warrant or commissioned officers, shall be deemed to have been transferred to the Fleet Naval Reserve on date of discharge from the Navy, and then to have been transferred to the class of the Naval Reserve Force in which they were given provisional assignment as warrant or commissioned officers: *Provided*, That they shall be entitled to receive the same pay, allowances, and other benefits from and after the date said transfer to the Fleet Naval Reserve is herein deemed to have been made as is provided by law for men transferred to the Fleet Naval Reserve.

That any enlisted man who was discharged from the Navy to enable him to be enrolled in the Naval Reserve Force in a commissioned rank, who was thereafter at his own request reduced to the same rating in the Naval Reserve Force as held by him at the time of his discharge from the Navy, and transferred to the regular Navy to serve the unexpired portion of his enrollment, in accordance with the Act approved July 11, 1919, shall be entitled, from the date he was so transferred and so long as he shall continue in the naval service, to the same rate of pay and other benefits that would have been received by him if he had not been discharged from the Navy to permit enrollment in the Naval Reserve Force.

CHARGE OF DESERTION.

SEC. 2. That in all cases where it shall be made to appear to the satisfaction of the President that a commissioned or warrant officer or an enlisted man with the charge of desertion now standing against him on the rolls and records of the Army, Navy, or Marine Corps has since such charge was entered served honorably in the World War, either in the military or naval forces of the Allies or in the Army, Navy, or Marine Corps or in other branches of the military service of the United States prior to November 11, 1918, the President is hereby authorized, in his discretion, to cause an entry to be made on said rolls and records of the Army, Navy, or

Marine Corps, relieving said officer or enlisted man of all the disabilities which he had heretofore or would hereafter suffer by virtue of said charge of desertion thus appearing against him; and upon such action being taken by the President, such officer or enlisted man shall be regarded as having been honorably discharged on the date the charge of desertion was entered against him: *Provided*, That nothing contained in this section shall operate to entitle any officer or enlisted man to back pay or allowances of any kind or to a pension for any service rendered prior to the World War.

Entry of honorable discharge.

Proviso.
No back pay, etc., for service prior to World War.

TO CREDIT CERTAIN OFFICERS WITH ACTIVE DUTY PERFORMED SINCE RETIREMENT.

Retired officers.

SEC. 3. That all retired commissioned and warrant officers of the United States Navy and Marine Corps who served on active duty in the Navy and Marine Corps of the United States during the World War shall be credited with all active duty performed since retirement during the period from April 6, 1917, to March 3, 1921, in the computation of their longevity pay.

Credited with all active service April 6, 1917, to March 3, 1921.

CIVILIAN OUTFITS FURNISHED ENLISTED MEN.

Civilian outfits.

SEC. 4. That the accounting officers of the Government are authorized and directed to allow in the settlement of the accounts of disbursing officers of the Navy and Marine Corps payments made by them for civilian outfits furnished enlisted men of the Navy and Marine Corps upon discharge for bad conduct, undesirability, or inaptitude since November 13, 1917.

Navy and Marine disbursing officers allowed credit for, to enlisted men discharged for bad conduct, etc.

SECTION 1481 OF THE REVISED STATUTES.

Retired staff officers.

SEC. 5. That hereafter no person shall be retired with the rank of commodore, under the provisions of section 1481 of the Revised Statutes, unless he has attained at the time of retirement the rank of captain in the Navy.

No retirement with rank of commodore, unless of rank of captain.
R. S., sec. 1481, p. 257.

ACQUISITION OF CERTAIN SITES FOR AVIATION.

Aviation sites.

SEC. 6. That the Secretary of the Navy be, and he is hereby, authorized to expend from the appropriation "Aviation" contained in the Act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1924, and for other purposes, approved January 22, 1923, a sum not in excess of \$13,000 for acquiring the site of the naval air station, Galveston, Texas; a sum not in excess of \$18,000 for acquiring the site of the naval air station, Lakehurst, New Jersey, and right of way for railroad spur track appurtenant thereto; a sum not in excess of \$20,000 for acquiring the site of the Marine Corps flying field at Reid, Quantico, Virginia; and a sum not in excess of \$58,335 for acquiring the site of the naval air station at Chatham, Massachusetts: *Provided*, That the Secretary of the Navy be, and he is hereby, authorized, in his discretion, to sell the site of the naval air station, Galveston, Texas, with the improvements thereon, upon such terms as he may deem proper: *Provided further*, That \$13,000 of the proceeds of such sale shall be deposited to the credit of the appropriation from which the purchase price of the land is defrayed.

Expenses authorized from aviation expenses, 1924.
Vol. 42, p. 1148.

Galveston, Tex.

Lakehurst, N. J.

Quantico, Va.

Chatham, Mass.

Provisos.
Sale of Galveston site authorized.

Proceeds to credit of Aviation.

Sums available until spent.

That the sums herein authorized shall remain available until expended.

Marine Corps.

MARINE CORPS PERSONNEL.

Promotions below colonel subject to certificate of examining board as to professional qualifications, etc.
Vol. 27, p. 321.

SEC. 7. That no officer of the Marine Corps below the grade or rank of colonel shall be promoted or advanced in grade or rank on the active list unless the examining board provided for in the Act approved July 28, 1892, entitled "An Act to provide for the examination of certain officers of the Marine Corps, and to regulate promotions therein" (Twenty-seventh Statutes, page 321), shall, in addition to making such certificate of qualification for promotion or advancement as may be prescribed by the Secretary of the Navy, certify that there is sufficient evidence before the board to satisfy the board that the officer is fully qualified professionally for the higher grade or rank.

Reexamination in one year if failing to qualify.

That any officer of the Marine Corps who fails to qualify professionally upon examination for promotion or advancement shall be reexamined as soon as may be expedient after the expiration of one year if he in the meantime again becomes due for promotion, and if he does not in the meantime again become due for promotion he shall be reexamined at such time anterior to again becoming due for promotion as may be for the best interests of the service: *Provided*, That if any such officer of less than ten years' total active service, exclusive of service as midshipman or cadet at the United States Naval Academy or the United States Military Academy, fails to qualify professionally upon reexamination he shall be honorably discharged from the Marine Corps with one year's pay: *Provided further*, That if any such officer of more than ten years' total active service, exclusive of service as midshipman or cadet at the United States Naval Academy or the United States Military Academy, fails to qualify professionally upon reexamination, he shall not be discharged from the Marine Corps on account of such failure, but shall thereafter be ineligible for promotion or advancement; and any such officer shall be retired with a percentage of the pay received by him at the date of retirement equal to $2\frac{1}{2}$ per centum for each year of total active service to be computed in accordance with the provisions of section 1 of the Act entitled "An Act to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service," approved June 10, 1922, not to exceed 75 per centum, upon attaining, or if he had previously attained, the ages in the various grades and ranks, as follows: Lieutenant colonel, fifty years, major and company officers, forty-five years.

Provisos.
If less than 10 years' service and failing, to be honorably discharged with one year's pay.

If of more than 10 years, to be retained but ineligible for promotion.

Retirement pay.

Vol. 42, p. 626.

Brigadier generals appointed from line colonels on eligible list.

That brigadier generals of the line shall, subject to physical examination, be appointed from colonels of the line whose names are borne on the eligible list prepared annually by a board of not less than five general officers of the Marine Corps, and approved by the President.

Appointments of heads of staff departments.

That hereafter, as vacancies occur, the heads of staff departments shall be appointed for terms of four years from officers holding permanent appointments in the departments in which the vacancies occur whose names appear on eligible lists prepared annually by a board of not less than five officers of the Marine Corps above the grade or rank of colonel, including the major general commandant and the heads of the staff departments, and approved by the President, but no head of a staff department appointed for a term of four years shall sit as a member of the board during consideration of names for the eligible list for his department: *Provided*, That in case there be no officer holding a permanent appointment in a staff department whose name is borne on the eligible list for appointment as head of that department, the appointment shall be made from

Preparation of eligible list.

Proviso.
Appointment from field officers.

officers of field rank of the Marine Corps whose names are borne on the aforesaid eligible list for that department.

That any officer of the grade or rank of colonel whose name is not borne on one of the current eligible lists for appointment as brigadier general or head of a staff department shall, if more than fifty-six years of age, be retired with a percentage of the pay received by him at the date of retirement equal to 2½ per centum, to be computed in accordance with the provisions of section 1 of the Act entitled "An Act to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service," approved June 10, 1922, not to exceed 75 per centum.

Colonels.
Retirement at 56, if not on eligible list for brigadier general.

Pay.

Vol. 42, p. 626.

RELIEF OF CONTRACTORS.

Relief of contractors.

SEC. 8. That the Secretary of the Navy be, and he is hereby, authorized and directed to make thorough investigation of the merits of the claims (including claims for release from Government claims for liquidated damages, but excluding claims in cases where a full, final, unqualified release has been given the United States) which may be submitted to him in writing within six months after the passage of this Act, and verified under oath, for any loss alleged to have been caused to any of such claimants in the performance of any fixed price (including fixed unit price) contract with the United States through the Secretary of the Navy, or the Navy Department, from April 6, 1917, to November 11, 1918, inclusive, or in the performance of that portion of any such contract previously entered into which remained uncompleted on April 6, 1917, which loss was occasioned by the action of any Government agency by reason of priority orders for material, or transportation, commandeering of property, or other order of Government authority not authorized by the contract on or between March 4, 1917, and November 11, 1918, inclusive.

Investigation of claims for losses in contracts of fixed prices April 6, 1917 to November 11, 1918.

Losses occasioned by Government priority orders.

The Secretary of the Navy shall submit estimates of appropriations required to satisfy such of the claims as he may investigate under this authority as may be found to possess merit, accompanied by a comprehensive presentation of the facts in each case, but such findings so communicated shall not be construed as imposing any obligation upon the Government or releasing any claim or rights of the Government.

Estimates to be submitted to pay claims.

No claim shall be considered under this authorization for alleged losses on account of increases in wages until a claimant shall have established proof to the satisfaction of the Secretary of the Navy that he actually paid his employees the award ordered or recommended by the Macy Board or other Government agency and that his entire volume of business with the Government during the period covered by the claim did not yield a net profit.

Proof required if losses are claimed from advance wages ordered by the Government.

In the performance of the duties imposed by this section the Secretary of the Navy is authorized to summon witnesses and examine them under oath, to require claimants to exhibit their books and papers, and to have access to and the right to examine pertinent income-tax returns and other financial reports of such claimants as may be in the custody of the Secretary of the Treasury.

Authority to summon witnesses, examine books, etc.

REPEAL OF SO MUCH OF SECTION 3 OF THE ACT OF JUNE 4, 1920, AS AUTHORIZES TRANSFERS AND APPOINTMENTS IN THE REGULAR NAVY.

Naval Reserve Force.

SEC. 9. That hereafter no officer of the United States Naval Reserve Force shall be transferred to or appointed in the regular Navy under

Transfers hereafter of officers of, to Navy forbidden.

Vol. 41, p. 834.

the provisions of section 3 of the Act of June 4, 1920, and so much of said section 3 of the Act of June 4, 1920, as authorizes such transfers and appointments is hereby repealed.

Discharges.

DISCHARGES FOR THE GOOD OF THE SERVICE.

Payment to persons dishonorably discharged.

Provisos.
Discretionary payment.

Civilian clothing to marines discharged for bad conduct, etc.

SEC. 10. That hereafter persons discharged from the naval service by dishonorable discharge, bad-conduct discharge, or any other discharge for the good of the service, may, upon discharge, be paid a sum not to exceed \$25: *Provided*, That the said sum shall be fixed by, and in the discretion of, the Secretary of the Navy, and shall be paid only in cases where the person so discharged would otherwise be without funds to meet his immediate needs: *Provided further*, That hereafter the appropriation, "General expenses, Marine Corps," shall be available for the purchase of civilian outer clothing, not to exceed \$15 per man, to be issued when necessary to marines discharged for bad conduct, undesirability, unfitness, or inaptitude.

Marine Band.

MARINE BAND.

Composition, pay, etc.

Vol. 39, p. 612, amended.

Provisos.
Second leader, etc., to receive longevity increase.

Pay increase effective from June 30, 1922.

On promotion to leader all service counted for longevity.

No loss during concert tours.

SEC. 11. That the band of the United States Marine Corps shall consist of one leader whose pay and allowances shall be those of a captain in the Marine Corps; one second leader whose pay shall be \$200 per month and who shall have the allowances of a sergeant major; ten principal musicians whose pay shall be \$150 per month; twenty-five first-class musicians whose pay shall be \$125 per month; twenty second-class musicians whose pay shall be \$100 per month; and ten third-class musicians whose pay shall be \$85 per month; such musicians of the band to have the allowances of a sergeant: *Provided*, That the second leader and musicians of the band shall receive the same increases for length of service and the same enlistment allowance or gratuity for reenlisting as is now or may hereafter be provided for other enlisted men of the Marine Corps: *Provided further*, That the pay authorized herein for the second leader and the musicians of the band shall be effective from July 1, 1922, and shall apply in computing the pay of former members of the band now on the retired list and who have been retired since June 30, 1922: *Provided further*, That in the event of promotion of the second leader, or a musician of the band to leader of the band, all service as such second leader, or as such musician of the band, or both, shall be counted in computing longevity increase in pay: *And provided further*, That hereafter during concert tours approved by the President, members of the Marine Band shall suffer no loss of allowances.

Electrician grades.

ESTABLISHING CERTAIN GRADES IN THE NAVY.

Warrant grades of chief electrician, chief radio electrician, etc., established.

Pay, etc.

Proviso.
Precedence if chief gunners, etc., appointed to new grade.

SEC. 12. That the commissioned warrant grades of chief electrician and chief radio electrician, and the warrant grades of electrician and radio electrician are hereby established in the United States Navy, and all persons appointed in such grades in accordance with such regulations as the Secretary of the Navy may prescribe shall have the same rank, pay, allowances, and other benefits as now are or may hereafter be allowed other commissioned warrant and warrant officers in the Navy: *Provided*, That chief gunners and gunners now in the service, qualified for electrical or radio duties, shall, if appointed in the grades hereby established, take precedence from the dates of their original appointments as commissioned warrant and warrant officers, respectively.

REIMBURSEMENT TO CERTAIN FIRMS, ASSOCIATIONS, AND CORPORATIONS FOR MONEY ADVANCED.

SEC. 13. That the Paymaster General of the Navy, with the approval of the Secretary of the Navy, is hereby authorized, in his discretion, to make reimbursement to any individual, firm, association, company, or corporation for money advanced on behalf of the Government during the World War to any officer or enlisted man of the naval service on account of pay if upon presentation of evidence satisfactory to himself it is established that such individual, firm, association, company, or corporation has not heretofore received reimbursement in any way for the money so advanced: *Provided*, That the total amount for the purpose of reimbursement shall not exceed the sum of \$35,000: *Provided further*, That any amounts thus allowed shall be payable from the appropriation for pay of the Navy current at the time of settlement.

Money advances.

Reimbursement authorized for money advanced for the naval service during World War on account of pay.

Proviso.
Amount limited.

Allowed from pay of the Navy.

SETTLEMENT OF ACCOUNTS OF DISBURSING OFFICERS OF THE NAVY.

SEC. 15. That the Comptroller General of the United States is hereby authorized and directed to allow amounts credited, prior to his decision of May 20, 1922, as the "highest pay of his grade" to the officers detailed as assistants to the Chiefs of Bureaus of Supplies and Accounts and Medicine and Surgery, and hereafter any officer of the naval service who is, pursuant to law, detailed to duty as assistant to a chief of bureau of the Navy Department or as assistant to the Judge Advocate General of the Navy, shall, while so serving, receive the highest pay of his rank.

Accounts of disbursing officers.

Comptroller General to allow credits for payments to assistants to Chiefs of Bureaus.

Rank hereafter for details.

COMMANDER CHARLES O. MAAS.

SEC. 16. That the Secretary of the Navy is authorized to supplement the military record of the late Lieutenant Commander Charles O. Maas, Naval Reserve Force, to show the voluntary service performed by said Lieutenant Commander Maas, and accepted by the Navy Department subsequent to the date upon which he was placed on inactive duty, and that such acceptance may be treated as a recall to active service: *Provided*, That no back pay or allowances of any kind shall accrue as a result of the passage of this section.

Charles O. Maas.

Supplementary record of service of, in Naval Reserve Force, authorized.

Proviso.
No back pay, etc.

UNITED STATES NAVY BAND.

SEC. 17. That hereafter the band now stationed at the navy yard, Washington, District of Columbia, and known as the Navy Yard Band, shall be designated as the United States Navy Band, and the leader of this band shall receive the pay and allowances of a lieutenant in the Navy: *Provided*, That all service as an enlisted man in the naval service shall be counted in computing longevity increases for pay of this leader: *Provided further*, That no back pay or allowances shall be allowed to this leader by reason of the passage of this Act: *And provided further*, That hereafter during concert tours approved by the President members of the United States Navy Band shall suffer no loss of allowances.

Navy Band.

Band at Washington, D. C., navy yard so designated.

Pay, etc., of leader.
Proviso.
Service counted for longevity.
No back pay, etc.

No loss of allowances on concert tours.

NAVAL ACADEMY BAND.

SEC. 18. That the pay and allowances of the members of the Naval Academy Band shall be those provided for enlisted men of the Navy by the Act of June 10, 1922, except that the second leader shall receive the pay and allowances provided in said Act for warrant officers of

Naval Academy Band.

Pay and allowances.
Vol. 42, p. 629.
Pay of second leader.

Proviso.
No reduction of former pay, etc.

the Navy of corresponding length of service: *Provided*, That nothing in this Act shall operate to reduce the pay that any member of the Naval Academy Band was in receipt of on June 30, 1922, nor to deprive him of credit for any service with which he was then entitled to be credited.

Enlistments.

ENLISTMENTS IN THE NAVY.

Periods of establishment.
Vol. 41, p. 134.

SEC. 19. That hereafter enlistments in the Navy may be for terms of two, three, four, or six years, and all laws now applicable to four-year enlistments shall apply, under such regulations as may be prescribed by the Secretary of the Navy, to enlistments for a shorter or longer period with proportionate benefits upon discharge and reenlistment: *Provided*, That hereafter upon the presentation of satisfactory evidence as to his age, and upon application for discharge by his parent or guardian presented to the Secretary within sixty days after the date of his enlistment, any man enlisted after July 1, 1924, in the naval service, including the Marine Corps, under twenty-one years of age, who was enlisted without the written consent of his parent or guardian, if any, shall be discharged for his own convenience.

Proviso.
Minors enlisting without consent of parent, may be discharged on application.

"C."

Public works.

CONSTRUCTION OF CERTAIN PUBLIC WORKS AND ACQUISITION OF LANDS REQUIRED FOR NAVAL PURPOSES.

Sand Point, Wash.
Acceptance of site for air station at.

SEC. 20. That the Secretary of the Navy be, and he is hereby, authorized to accept on behalf of the United States, free from encumbrances and without cost to the United States, the title in fee simple to such lands as he may deem necessary or desirable, in the vicinity of Sand Point, Washington, approximately four hundred acres, as a site for a naval air station, to be returned to the grantor if not used by the Government within five years, and to acquire on behalf of the United States, by purchase or condemnation, after an appropriation of the necessary funds for such purpose shall have been made by Congress, such land as he may deem necessary in the vicinity of South Brooklyn, New York, known as the third Bush lot, not under lease to the Navy Department, for addition to the site of the naval supply depot, at a cost not to exceed \$330,000, and he is further authorized to proceed with improvement to channel and harbor at the naval station, Pearl Harbor, Territory of Hawaii, at a cost not to exceed \$5,982,000, and with the waterfront development at the naval base, San Diego, California, to consist of the construction of a pier and sea wall, dredging, extension of railway connections, and other work incident thereto, at a cost not to exceed \$1,010,000.

Expenditures authorized.
South Brooklyn, N. Y., for supply depot.

Pearl Harbor Hawaii, station.

San Diego, Calif., naval base.

Naval establishment.

INCREASE IN LIMITS OF COST OF CERTAIN VESSELS.

Scout cruisers and submarine tender.
Limit of cost increased.
Vol. 41, p. 156, amended.

SEC. 21. The limits of cost of the vessels heretofore authorized and hereinafter enumerated are increased as follows: Scout cruisers numbered 4, 5, and 6, from \$8,250,000 to \$8,650,000 each; and Submarine Tender numbered 3, from \$3,400,000 to \$4,800,000.

Naval Reserve Officers' Training Corps.

ESTABLISHMENT OF NAVAL RESERVE OFFICERS' TRAINING CORPS.

Authorized to be established.
Regulations for.
Vol. 39, pp. 191-194;
Vol. 41, pp. 776-779.

SEC. 22. A Naval Reserve Officers' Training Corps is hereby authorized to be established and operated under such regulations as the President may prescribe, which regulations shall, so far as may be practicable, conform to the provisions of the national defense Act approved June 3, 1916, sections 40 to 53 inclusive (39 Statutes at

Large, pages 191 to 194), as amended by the Act approved June 4, 1920, sections 33 and 34 (41 Statutes at Large, pages 776 to 779): *Provided*, That the powers conferred therein upon the Secretary of War with regard to the Reserve Officers' Training Corps are hereby conferred upon the Secretary of the Navy with regard to the Naval Reserve Officers' Training Corps: *Provided further*, That all expenditures in connection with the establishment and operation of the Naval Reserve Officers' Training Corps shall be specifically appropriated therefor: *And provided further*, That members of the Naval Reserve Officers' Training Corps shall be eligible for appointment as Naval Reserve officers under the same conditions as provided by law for the appointment of Naval Reserve officers from other citizens of the United States, and when so appointed shall have the same status and be entitled to the same benefits in all respects as provided by law for other members of the Naval Reserve: *And provided further*, That the word "naval" wherever used in this section shall be construed to include Marine Corps: *Provided further*, That the total personnel of the Naval Reserve Officers' Training Corps shall not exceed at any one time more than twelve hundred.

Provisos.
Secretary of Navy vested with powers over.

Operations, etc., to be specifically appropriated for.

Eligibility of members as Naval Reserve officers.

Marine Corps included.

Personnel limited.

REIMBURSEMENT OF CERTAIN PERSONS FOR LOSS OF LIBERTY BONDS AND VICTORY NOTES WHILE NAVAL GENERAL COURT-MARTIAL PRISONERS.

Loss of Liberty Bonds.

SEC. 23. That there is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, the principal sums herein set forth plus interest thereon at the rate of 4 $\frac{1}{4}$ per centum per annum from October 24, 1918, to the date of this Act; to reimburse the following-named persons: Joseph Taylor, junior, ex-seaman, \$100; Paul Victor Heine, ex-landsman for electrician, \$250; James William Coker, ex-fireman, first class, \$300; John Fogarty, ex-fireman (Coast Guard), \$100; and Paul Beck (assignee of John Fogarty), ex-fireman (Coast Guard), \$250; and to the following-named persons the principal sums herein set forth plus interest thereon at the rate of 4 $\frac{3}{4}$ per centum per annum from May 20, 1919, to the date of this Act: William Sarsfield Meagher, ex-landsman for electrician, \$200; John Douglas Williams, ex-mess attendant, third class, \$150; Isabelo Quebral, ex-mess attendant, third class, \$100; and John Grover Condon, ex-seaman, second class, \$100; being the respective amounts of their private funds in the form of Liberty Bonds of the fourth issue and interest thereon, and Victory Notes and interest thereon, which the said persons had placed in the safe in the office of the supply officer at the United States Naval Prison, Portsmouth, New Hampshire, for safe-keeping, and which were stolen therefrom on or about March 23, 1920, by some unknown person or persons.

Reimbursement for, stolen from designated persons who were naval prisoners at Portsmouth, N. H.

OFFICERS OF THE NAVY AND MARINE CORPS EXAMINED FOR RETIREMENT WHILE HOLDING TEMPORARY RANK AND FOUND PHYSICALLY INCAPACITATED IN LINE OF DUTY SHALL BE RETIRED IN TEMPORARY RANK HELD AT TIME OF EXAMINATION BY RETIRING BOARD AND PAID ACCORDINGLY.

Temporary Navy and Marine Corps officers.

SEC. 24. All officers of the Navy and Marine Corps who while holding temporary rank were examined for retirement and found physically incapacitated in the line of duty, and whose temporary appointments were revoked, shall, in all cases where the department has recalled and canceled the letter revoking the temporary appointment, be considered as having been retired in the temporary rank held by them at the time of examination by the retiring board, and shall be entitled to pay on the retired list computing on the pay of such temporary rank from the day their retirement was effective.

Found physically incapacitated and appointment revoked, considered as retired when recalled, etc.

Retired officers' grade increased.

Officers retired for physical disability, while holding higher temporary rank to be advanced on retired list.

Naval Academy.

Requirement for return by, of advances for dairy, repealed.
Vol. 39, p. 603; Vol. 40, p. 488.

Provisos.
Dairy, etc., to be Government property.

Operation of farm.

National flag.

Loan of flag for remains of Navy officer, etc.
Vol. 38, p. 406.

Issue to nearest relative of officer, etc., dying in service April 6, 1917, to March 3, 1921.

Frigate "Constitution."

Repair and restoration of, directed.

Proviso.
Acceptance of donations for.

Retirement of staff officers.

Officer on active list with designated service may be placed on retired list.

OFFICERS OF REGULAR NAVY RETIRED SINCE DECEMBER 31, 1921, BECAUSE OF PHYSICAL DISABILITY ORIGINATING IN LINE OF DUTY IN TIME OF WAR, TO BE RETIRED IN HIGHER GRADE OR RANK HELD DURING THE WAR

SEC. 25. Any officer of the regular Navy who has been retired since December 31, 1921, by reason of physical disability which originated in the line of duty at any time between April 6, 1917, and March 3, 1921, inclusive, while holding higher temporary rank, shall be advanced on the retired list to, or shall be placed on the retired list in, such higher grade or rank.

TO RELIEVE THE UNITED STATES NAVAL ACADEMY FROM ITS OBLIGATION TO REIMBURSE THE TREASURY FOR THE AMOUNT OF \$155,000.

SEC. 26. That those portions of the Acts of August 29, 1916, and March 28, 1918, which require the ultimate return to the United States of advances aggregating \$155,000 made to the midshipmen's store fund at the Naval Academy be, and the same are hereby, repealed: *Provided*, That the dairy and farm, cattle and work animals, machinery and implements, buildings, and other stock, equipment, and supplies heretofore purchased from the funds so advanced shall become and remain the property of the United States: *Provided further*, That the dairy farm shall be continued and operated as an activity of the midshipmen's store.

TO PROVIDE FOR THE ISSUANCE OF THE NATIONAL FLAG FREE OF COST TO THE MOTHER OR NEAREST RELATIVE OF ANY OFFICER OR ENLISTED MAN WHOSE DEATH OCCURRED AT ANY TIME BETWEEN APRIL 6, 1917, AND MARCH 3, 1921.

SEC. 27. The provision contained in the Act approved June 30, 1914, authorizing the issuance free of cost of the national flag under certain circumstances, is hereby amended by adding thereto the following proviso: *Provided*, That the Secretary of the Navy be further authorized at his discretion to issue free of cost the national flag (United States national ensign No. 7), upon request, to the mother or nearest relative of any officer, enlisted man or nurse, whose death occurred at any time during the period between April 6, 1917, and March 3, 1921, while in the service of the United States Navy, Marine Corps, Naval Reserve Force, or Marine Corps Reserve, and whose mother or nearest relative has not heretofore been issued such a flag free of cost.

FOR THE PRESERVATION OF THE FRIGATE CONSTITUTION.

SEC. 28. That the Secretary of the Navy is hereby authorized to repair, equip, and restore the frigate Constitution, as far as may be practicable, to her original condition, but not for active service: *Provided*, That the Secretary of the Navy is further authorized to accept and use any donations or contributions which may be offered for the aforesaid purpose.

RETIREMENT OF STAFF OFFICERS WITH PERMANENT RANK OF REAR ADMIRAL DURING THE WORLD WAR.

SEC. 29. Any staff officer of the Navy now on the active list who held the permanent rank of rear admiral during the World War, after serving ten years in that rank, may, in the discretion of the President, be placed upon the retired list with three-fourths of the pay received by him on the active list at the date of his retirement.

RETIREMENT OF OFFICERS OF THE NAVY AND MARINE CORPS SPECIALLY
 COMMENDED FOR DUTY IN ACTUAL COMBAT WITH THE ENEMY DURING
 THE WORLD WAR.

Retirement of officers.

SEC. 30. All officers of the Navy and Marine Corps who have been specially commended for their performance of duty in actual combat with the enemy during the World War, by the head of the executive department under whose jurisdiction such duty was performed, when retired by reason of age ineligibility for promotion, shall be placed upon the retired list with the rank of the next higher grade and with three-fourths of the pay they would have received if not advanced in rank pursuant to this section.

Officers specially commended for combat duty in World War to be retired to next higher grade.

That in recognition of his gallant and conspicuous service in bringing the United States ship Mount Vernon safely into port after that vessel was torpedoed on September 5, 1918, Captain Douglas E. Dismukes, United States Navy, when retired in accordance with the provisions of existing law, shall be placed upon the retired list with the rank of rear admiral and with the retired pay of the lower half of that rank.

Capt. Douglas E. Dismukes.
 To be retired as rear admiral for gallant service in World War.

Approved, March 4, 1925.

CHAP. 537.—An Act For the relief of First Lieutenant John I. Conroy.

March 4, 1925.
 [H. R. 5143.]
 [Public, No. 612.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby, authorized to appoint First Lieutenant John I. Conroy, United States Marine Corps, retired, who served during the World War in the United States Marine Corps, and was wounded in action, a captain on the retired list of the Marine Corps, with the rank and retired pay of that rank from the date of the passage of this Act.

Marine Corps.
 John I. Conroy may be promoted a captain, retired.

Approved, March 4, 1925.

CHAP. 538.—An Act To add certain lands to the Umatilla, Wallowa, and Whitman National Forests in Oregon.

March 4, 1925.
 [H. R. 6651.]
 [Public, No. 613.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That within the following described areas any lands not in Government ownership which are found by the Secretary of Agriculture to be chiefly valuable for national forest purposes may be offered in exchange under the provisions of the Act of March 20, 1922 (Public, 173), upon notice as therein provided, and upon acceptance of title shall become parts of the Umatilla, Wallowa, or Whitman National Forests; and any of such described areas in Government ownership chiefly valuable for national forest purposes and not now parts of any national forest may be added to said national forests as herein provided by proclamation of the President, subject to all valid existing entries:

National forests.
 Umatilla, Wallowa, and Whitman Forests, Oreg.
 Lands offered in exchange for addition to. Vol. 42, p. 465.

Government owned lands may be added.

Township 6 north, range 38 east, sections 18, 19, 20, 21, 28, 29, east half of section 30, and section 32.

Description.

Township 5 north, range 37 east, sections 25, 26, east half of section 34, and sections 35 and 36.

Township 4 north, range 37 east, south half of section 12, sections 13, 22, 23, 24, 25, 26, 27, 33, 34, 35, and 36.

Township 4 north, ranges 39 and 41 east.

Township 4 north, range 42 east, south half.

Township 5 north, range 43 east.