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Service credit without deposit.

Annuity in event no deposit is made.

following: "*Provided*, That failure to make such deposit shall not deprive the employee of credit for any past service rendered prior to August 1, 1920, to which he or she would otherwise be entitled: *And provided further*, That, notwithstanding the failure of an employee to make such deposit, credit shall be allowed for the service rendered, but the annuity of such employee shall be reduced by the amount such deposit would purchase if made, unless the employee shall elect to eliminate such service entirely from credit under this Act".

Approved, June 23, 1938.

[CHAPTER 597]

AN ACT

June 23, 1938
[S. 4132]
[Public, No. 702]

Limiting the hours of labor of certain officers and seamen on certain vessels navigating the Great Lakes and adjacent waters.

Great Lakes, etc.
Hours of labor on certain vessels limited.
49 Stat. 1933.
46 U. S. C., Supp. III, § 673.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of March 4, 1915, as amended (U. S. C., 1934 edition, Supp. III, title 46, sec. 673), is amended by adding after the first sentence thereof the following: "No licensed officer or seaman in the deck or engine department of any tug documented under the laws of the United States (except boats or vessels used exclusively for fishing purposes) navigating the Great Lakes, harbors of the Great Lakes, and connecting and tributary waters between Gary, Indiana; Duluth, Minnesota; Niagara Falls, New York; and Ogdensburg, New York, shall be required or permitted to work more than eight hours in one day except in case of extraordinary emergency affecting the safety of the vessel and/or life or property.

Approved, June 23, 1938.

[CHAPTER 598]

AN ACT

June 23, 1938
[H. R. 9997]
[Public, No. 703]

To regulate the distribution, promotion, and retirement of officers of the line of the Navy, and for other purposes.

Navy.
Merit system for promotion by selection.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a merit system for promotion by selection in the line of the Navy.

AUTHORIZED NUMBER OF OFFICERS OF THE LINE

Authorized number of officers of the line.

SEC. 2. The total authorized number of commissioned officers of the active list of the line of the Navy, exclusive of commissioned warrant officers, shall be equal to 5½ per centum of the total authorized enlisted strength of the active list, exclusive of the Hospital Corps, prisoners undergoing sentence of discharge, enlisted men detailed for duty with the Naval Militia, and the Flying Corps.

DISTRIBUTION OF OFFICERS OF THE LINE

Distribution in grades.

SEC. 3. (a) The total number of commissioned line officers on the active list at any one time, exclusive of commissioned warrant officers, shall be distributed in the proportion of one in the grade of rear admiral to four in the grade of captain, to eight in the grade of commander, to fifteen in the grade of lieutenant commander, to thirty in the grade of lieutenant, to forty-two in the grades of lieutenant (junior grade) and ensign, inclusive: *Provided*, That except in time of war there shall be not more than seventy rear admirals on the active list of the line of the Navy, exclusive of additional numbers in grade.

Proviso.
Limitation.