

Marine Corps as became eligible by seniority for promotion to a higher grade or rank prior to May 29, 1934, under the laws then in force, and became ineligible for such promotion through the passage of the Acts approved May 29, 1934 (48 Stat. 811 and 814; U. S. C., title 34, sections 286h and 626a), and such officers of the Staff Corps of the United States Navy as became eligible by seniority for promotion to a higher grade or rank prior to August 5, 1935, under the laws then in force, and became ineligible for such promotion through the passage of the Act approved August 5, 1935 (49 Stat. 530), who have not been promoted to such higher grade or rank prior to the date of this Act: *Provided*, That such officers shall, prior to promotion as herein authorized, be required to establish under existing law their mental, moral, professional, and physical qualifications to perform all the duties of the grade or rank to which authorized to be appointed by the provisions of this Act, except that all such officers who are found physically or mentally not qualified for promotion due to causes originating in the line of duty shall be placed on the retired list in the grade or rank and with the retired pay to which their seniority would have entitled them under the laws in force at the time they became eligible by seniority for promotion: *Provided further*, That when promoted to the next higher grade or rank they shall be carried as extra numbers but only in the grade or rank to which promoted pursuant to this Act, and shall take precedence with, but after, the officers of the line or the Staff Corps of the Navy, or of the Marine Corps, respectively, next after whom they would have taken precedence had they been promoted to the next higher grade or rank under the laws in force at the time they became eligible by seniority for such promotion: *Provided further*, That for purposes of pay and service in grade they shall be held to have been promoted as of the date on which they became eligible by seniority for promotion: *And provided further*, That no back pay or allowances shall be held to have accrued prior to the passage of this Act.

SEC. 2. That such officers of the line of the United States Navy and of the United States Marine Corps as became eligible by seniority for promotion prior to May 29, 1934, under the laws then in force, and such officers of the Staff Corps of the United States Navy as became eligible by seniority for promotion prior to August 5, 1935, under the laws then in force, as have been retired on or before the date of this Act on account of mental or physical disability due to causes originating in the line of duty or as an incident of the service, shall have the rank and retired pay to which they would have been entitled had these disabilities been discovered by naval boards convened to determine their mental, moral, professional, and physical fitness for promotion to the next higher grade or rank under the laws then in force relative to promotion based upon seniority.

Approved, June 15, 1938.

[CHAPTER 388]

AN ACT

Providing for the addition of certain lands to the Black Hills National Forest in the State of Wyoming.

June 15, 1938
[S. 3416]
[Public, No. 615]

Black Hills National Forest, Wyo.
Addition of certain lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subject to all valid existing claims, entries, and leases, all of the lands of the United States within the following-described area are hereby added to and made a part of the Black Hills National Forest in the State

of Wyoming, and such lands shall hereafter be administered under the laws and regulations relating to the national forests:

BEAR LODGE UNIT, SIXTH PRINCIPAL MERIDIAN

Township 55 north, range 63 west: Sections 5 to 9, inclusive, 16 to 21, inclusive, 28 to 34, inclusive, and west half section 4, west half section 27.

Township 54 north, range 63 west: Sections 4 to 9, inclusive, 17, 18, 19, 28 to 32, inclusive, west half section 3; north half northeast quarter and west half section 20; north half, southwest quarter and north half southeast quarter and north half southwest quarter southeast quarter section 33.

Township 53 north, range 65 west: Sections 1, 12, 13, 24, 25, 36.

Township 53 north, range 64 west: Sections 1 to 12, inclusive, 15 to 22, inclusive, 27 to 34, inclusive, northeast quarter and west half section 14.

Township 53 north, range 63 west: North half section 5, section 6, and northwest quarter section 7.

Township 52 north, range 65 west: Sections 1 to 36, inclusive.

Township 52 north, range 64 west: Sections 3 to 10, inclusive, 14 to 36, inclusive.

Township 52 north, range 63 west: Section 31 and east half section 36.

Township 51 north, range 63 west: Sections 1, 6, 8, 10, 11, 12, and west half southwest quarter section 5; east half northeast quarter, southeast quarter, south half southwest quarter section 9.

SEC. 2. Any of the lands described in the first section of this Act which are privately owned may be accepted in exchange by the Secretary of the Interior under the provisions of the Act entitled "An Act to consolidate national forest lands", approved March 20, 1922, as amended. All of such lands so accepted in exchange shall be added to and made a part of the Black Hills National Forest in the State of Wyoming and shall thereafter be administered under the laws and regulations relating to the national forests.

Approved, June 15, 1938.

[CHAPTER 389]

AN ACT

For the relief of the State of Wyoming.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized to give to the account of the National Guard of the State of Wyoming credit in the amount of \$12,046.07 for the money value of property listed on approved surveys of military property and equipment charged to an accountable State under section 47 of title 32, United States Code, said credit to be allowed as a set-off against the credit in favor of such accountable State, which amount shall be held and considered to have been expended by the State in the payment of troops between the mobilization of such troops on July 25, 1917, and the date of their Federal muster August 5, 1917. This credit shall be established by submission of vouchers or other evidence of payment of troops by the State which is acceptable to the Chief of Finance, United States Army, in the amount of \$12,046.07: *Provided,* That the credit to the State of Wyoming above specified shall have no other effect than the cancelation of the indebtedness of the State of Wyoming in the amount of \$12,046.07 for

Description.

Lands accepted in exchange.

42 Stat. 465.
16 U. S. C. § 485.
Administration.

June 15, 1938

[S. 3417]

[Public, No. 616]

State of Wyoming.
Credit to account of
National Guard, as a
set-off against credit
in favor of State.

32 U. S. C. § 47.

Evidence of pay-
ment.

Provided.
Credit limited to
cancelation of State
indebtedness.