

No occupancy prior to designation.

Application for enlarged or ordinary homestead by resident if land not designated as stock-raising.

Provisions governing changed application.

land described in the application shall not be disposed of; and if the said land shall be designated under this Act, then such application shall be allowed, otherwise it shall be rejected, subject to appeal; but no right to occupy such lands shall be acquired by reason of said application until said lands have been designated as stock-raising lands, unless the applicant actually establishes his residence and resides on the land; and until final action on such application, the settler may, if the land be not designated under this Act, change his application to one under the enlarged homestead law if such lands be designated thereunder, or to one under the ordinary provisions of the homestead law: *Provided*, That if the settler shall change his application he shall embrace therein the lands upon which his residence and principal improvements are located, and conform to the provisions, limitations, and conditions of the applicable law."

Approved, June 6, 1924.

June 6, 1924.
[S. 2169.]
[Public, No. 207.]

CHAP. 275.—An Act To amend in certain particulars the National Defense Act of June 3, 1916, as amended, and for other purposes.

National Defense Act amendments.
Enlisted men.
Percentage of grades modified.
Vol. 41, p. 761.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the respective grade percentages prescribed in section 4 (b) of the National Defense Act of June 3, 1916, as amended, of the total authorized number of enlisted men shall not exceed 0.79 per centum for the first grade, 2.1 per centum for the second grade, 3.4 per centum for the third grade, 9.2 per centum for the fourth grade, 9.5 per centum for the fifth grade, and 25 per centum for the sixth grade; and aforementioned section 4 (b) is hereby amended accordingly.

Assignments.
Officers excepted from duty with combatant arms.

SEC. 2. Add at the end of section 4c of the National Defense Act of June 3, 1916, as amended, the following: "When in his judgment efficiency demands such action, the President is authorized to except officers of the Medical Corps, Ordnance Department, and Chemical Warfare Service from the provisions of this section requiring duty with troops of one or more of the combatant arms. The President is further authorized to except from the provisions of this section requiring duty with troops of one or more of the combatant arms such officers of the Judge Advocate General's Department as are now engaged in patent litigation in which the Government is involved."

Also officers of Judge Advocate General's Department now engaged in patent litigation of the Government.

New matter.
Vol. 33, p. 190, amended.
Vol. 41, p. 776.

SEC. 3. That said National Defense Act, as amended, be, and the same is hereby, further amended by inserting therein, immediately after section 37 thereof, a new section to be known as section 38, in lieu of original section 38 struck out by section 31 of the amendatory Act of June 4, 1920, and to read as follows:

Reserve officers.
To be commissioned in the Army.
Period of officers in recognized National Guard.

"SEC. 38. COMMISSIONS OF RESERVE OFFICERS.—All persons appointed reserve officers shall be commissioned in the Army of the United States. Officers of the National Guard, federally recognized as such under the provisions of this Act, who are appointed reserve officers under the provisions of section 37 of this Act, shall be appointed for the period during which such recognition shall continue in effect and terminating at the expiration thereof in lieu of the five-year period hereinbefore prescribed, and in time of peace shall be governed by such special regulations appropriate for this class of reserve officers as the Secretary of War may prescribe."

Regulations in time of peace.

Vol. 41, p. 781, amended.

SEC. 4. That section 69 of said National Defense Act, as amended, be, and the same is hereby, amended to read as follows:

National Guard.
Enlistment periods modified

"SEC. 69. Original enlistments in the National Guard shall be for a period of three years, and subsequent enlistments for periods of one year or three years each."

SEC. 5. That section 90 of said National Defense Act, as amended, be, and the same is hereby, amended to read as follows:

"SEC. 90. That funds allotted by the Secretary of War for the support of the National Guard shall be available for the purchase and issue of forage, bedding, shoeing, and veterinary services, and supplies for the Government animals issued to any organization, and for animals owned or hired by any State, Territory, District of Columbia, or National Guard organization, not exceeding the number of animals authorized by Federal law for such organization and used solely for military purposes, and for the compensation of competent help for the care of material, animals, armament, and equipment of organizations of all kinds, under such regulations as the Secretary of War may prescribe: *Provided*, That the men to be so compensated shall not exceed five for each organization, except heavier-than-air squadrons, for each of which a maximum of ten to be so compensated is hereby authorized, and shall, save as otherwise provided in the next succeeding proviso, be duly enlisted therein and detailed by the organization commander, and shall be paid by the United States disbursing officer in each State, Territory, and the District of Columbia: *Provided further*, That whenever it shall be found impracticable to secure the necessary competent enlisted caretakers for the material, animals, armament, or equipment of any organization from the duly enlisted personnel thereof, the organization commander may employ one civilian caretaker therefor who shall be entitled to such compensation as may be fixed by the Secretary of War."

Vol. 41, p. 733, amended.

Funds allowed for care, etc., of animals issued to, or owned, etc., by National Guard.

Compensation for help.

Proviso. Number of detailed enlisted men, payment, etc.

Employment of civilian caretakers allowed.

SEC. 6. That pursuant to section 63 of the National Defense Act of June 3, 1916, as amended, the First Corps Cadets, antedating, and continuously existing in the State of Massachusetts since, the Act of May 8, 1792, now designated as the Second Battalion, Two hundred and eleventh Artillery, Antiaircraft, Coast Artillery Corps, First Corps Cadets, Massachusetts National Guard, hereby declared to be such a corps as is defined in said section 63 for all the purposes thereof and now incorporated in the Organized Militia and a part of the National Guard of Massachusetts, shall be allowed to retain its ancient privileges and organization. Said First Corps Cadets is hereby further declared to be entitled to a lieutenant colonel in command, and a major second in command; and said officers, when federally recognized, shall receive, in accordance with the provisions of said National Defense Act, and the Pay Readjustment Act of June 10, 1922, the pay of their respective grades: *Provided*, That nothing in this section or other provisions of law shall be deemed to be in derogation of any other ancient privileges to which said First Corps Cadets is entitled under the laws, customs, or usages of the State of Massachusetts.

First Corps Cadets. Allowed to retain ancient privileges and organization as part of Massachusetts National Guard. Vol. 39, p. 188.

Officers recognized, and entitled to pay of grade.

Proviso. No derogation of other ancient privileges.

SEC. 7. That the first paragraph of section 110 of said National Defense Act, as amended, be, and the same is hereby, amended to read as follows:

Vol. 42, p. 1035, amended.

"SEC. 110. PAY FOR NATIONAL GUARD ENLISTED MEN.—Each enlisted man belonging to an organization of the National Guard, other than enlisted men of the sixth and seventh grades, shall receive compensation at the rate of one-thirtieth of the initial monthly pay of his grade in the Regular Army, and each of those of the sixth and seventh grades shall receive compensation as is provided in section 14 of the Pay Readjustment Act of June 10, 1922, for each drill ordered for his organization where he is officially present and in which he participates for not less than one and one-half hours, not exceeding eight in any one calendar month and not exceeding sixty drills in one year: *Provided*, That the proviso contained in section 92 of this Act shall not operate to prevent the payment of

National Guard enlisted men. Pay adjusted to conform with Army.

Vol. 42, p. 632. For drills.

Proviso. Payment for actual presence.

Other duty accepted
in lieu of drills.

Exceptions.

Acceptance of partici-
pation with other or-
ganizations of National
Guard.

Retired enlisted men.
Who served as com-
missioned officers of the
Army in World War,
to receive pay of re-
tired warrant officer.

Of Navy or Marine
Corps serving as com-
missioned officers in
World War, to receive
pay of retired warrant
officers.

Provisos.
If retired prior to
July, 1922.

Subsequently retired.

Receiving higher pay
not prevented hereby.

Credit allowed for
unpaid commutation
of rations, to National
Guard noncommis-
sioned officers, etc., at en-
campments, etc.
Vol. 39, pp. 206, 207.

enlisted men actually present at any duly ordered drill or other exercise: *Provided further*, That periods of any actual military duty equivalent to the drills herein prescribed (except those periods of service provided for in sections 94, 97, 99, and 101 of the National Defense Act, as amended) may be accepted as service in lieu of such drills when so provided by the Secretary of War: *And provided further*, That any enlisted man shall, under such regulations as the Secretary of War may prescribe, receive compensation under the provisions of this section for any drill had in accordance with such provisions where he is officially present and in which he participates for not less than one and one-half hours with a National Guard organization within the same State at a station other than his own, upon presentation of a certificate in form prescribed in said regulations from the organization commander to the commanding officer of the organization of which he is a member showing such drill participation."

SEC. 8. That retired enlisted men of the Army heretofore or hereafter retired who served honorably as commissioned officers of the Army of the United States at some time between April 6, 1917, and November 11, 1918, shall be entitled to receive the pay of retired warrant officers of the Army; and retired enlisted men of the regular Navy and Marine Corps heretofore or hereafter retired who served honorably as commissioned officers, regular, temporary, or reserve, in the naval service at some time between the aforesaid dates, and who at the time of their retirement were members of the regular Navy or Marine Corps, shall be entitled to receive the pay of retired warrant officers of the Navy and Marine Corps, respectively: *Provided*, That such enlisted man retired prior to July 1, 1922, shall be entitled to receive the pay provided by law for retired warrant officers of equal length of service retired prior to that date, and that any such enlisted man retired subsequent to June 30, 1922, shall be entitled to receive the pay provided by law for retired warrant officers of equal length of service retired subsequent to that date: *Provided further*, That nothing in this Act shall operate to prevent any person from receiving the pay and allowances of his grade, rank, or rating on the retired list when such pay and allowances exceed the pay to which he would be entitled under this Act by virtue of his commissioned service.

SEC. 9. Payments of commutation for the additional ration provided for certain noncommissioned officers by the Act of May 18, 1920, and the Act of June 4, 1920, made after July 1, 1922, to noncommissioned officers of the National Guard receiving pay under the provisions of sections 94, 97, and 99 of the National Defense Act, as amended, and remaining uncollected, are hereby authorized to be credited in the disbursing officers' accounts in which they now appear.

Approved, June 6, 1924.

June 6, 1924.
[S. 2929.]

[Public, No. 208.]

CHAP. 276.—An Act Granting the consent of Congress to the States of Georgia and Florida, through their respective highway departments, to construct a bridge across the Saint Marys River at or near Wilds Landing, Florida.

Saint Marys River.
Georgia and Florida
may bridge, at Wilds
Landing, Fla.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the States of Georgia and Florida, through their respective highway departments, and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Saint Marys River at a point suitable to the interests of navigation at or near Wilds Landing,