

separate fiscal years, of each of their first three periods of active-duty training of three months or less, following their original appointment, during which periods the uniform is required to be worn.

Approved, May 14, 1940.

[CHAPTER 193]

AN ACT

To authorize the Secretary of the Interior to grant a right-of-way to the Highway Commission of the State of Montana.

May 14, 1940  
[S. 3262]  
[Public, No. 512]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is authorized and directed to grant to the Highway Commission of the State of Montana a permanent right to use for highway purposes that part of the property owned by the United States, known as the Bozeman, Montana, fisheries station, in the south half of the northwest quarter of section 34, township 1 south, range 6 east, Montana principal meridian, in Gallatin County, Montana, for which a revocable license, dated December 23, 1938, was granted by the Secretary of Commerce. Such right shall be granted upon condition that a public highway shall be maintained across such property and upon such other conditions as the Secretary of the Interior deems necessary to protect the interests of the United States.

Bozeman, Mont., fisheries station. Use of portion of property by State of Montana for highway purposes.

Conditions.

Approved, May 14, 1940.

[CHAPTER 194]

AN ACT

To amend the National Defense Act of June 3, 1916, as amended, to provide for enlistments in the Army of the United States in time of war, or other emergency declared by Congress, and for other purposes.

May 14, 1940  
[S. 3470]  
[Public, No. 513]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 127a, added to the National Defense Act of June 3, 1916 (39 Stat. 166), by section 51 of the Act of June 4, 1920 (41 Stat. 785), as amended, be, and the same is hereby, further amended by inserting after the concluding paragraph thereof a new paragraph to read as follows:

National Defense Act, amendment.

“In time of war or other emergency declared by Congress, all enlistments in the active military service of the United States shall be in the Army of the United States without specification of any particular component or unit thereof and shall be for the duration of the war or other emergency plus six months, subject in each case to earlier discharge at the discretion of the President or otherwise according to law. Eligibility for such enlistment shall be limited to persons not less than eighteen years of age and otherwise qualified under such regulations as the Secretary of War shall prescribe. The oath or affirmation of enlistment set forth in Article of War 109 shall be used and may be taken before any officer of the Army of the United States. All persons enlisted at any time in the Army of the United States or any component thereof, as long as they continue in the military service, shall, in time of war or other emergency declared by Congress, be available for assignment to duty with any unit of the Army of the United States and may be freely transferred from one unit to another, regardless of the component status of the units involved.”

Enlistments in time of war or other emergency.

Duration.

Eligibility.

41 Stat. 809.  
10 U. S. C. § 1581.

Assignments and transfers.

Approved, May 14, 1940.

## [CHAPTER 195]

## AN ACT

May 14, 1940  
[S. 3654]  
[Public, No. 514]

To amend section 10, National Defense Act, as amended, with relation to the maximum authorized enlisted strength of the Medical Department of the Regular Army.

National Defense Act, amendment.  
39 Stat. 171.  
10 U. S. C. § 81.

Medical Department, Army.  
Enlisted men, maximum number.

*Proviso.*  
Additional enlistments; conditions.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 10 of the National Defense Act, as amended by the Act of June 4, 1920 (41 Stat. 766), be, and the same is hereby, amended so as to provide that hereafter the authorized maximum number of enlisted men of the Medical Department of the Regular Army shall be in each fiscal year such number as shall equal 7 per centum of the average annual pay strength of the active list of the Regular Army and the average strength of all other military personnel on extended active duty with the Regular Army during such fiscal year: *Provided,* That in event of actual or threatened hostilities involving the United States the President may, within the limit of the total authorized strength of the Regular Army, authorize additional enlistments in the Medical Department to such number as he may deem necessary.

Approved, May 14, 1940.

## [CHAPTER 196]

## AN ACT

May 14, 1940  
[S. 3661]  
[Public, No. 515]

To amend the Perishable Agricultural Commodities Act, 1930, as amended, and for other purposes.

Perishable Agricultural Commodities Act, 1930, amendment.  
Reparation orders, proceedings.  
7 U. S. C. § 499g (c);  
Supp. V, § 499g (c).

*Proviso.*  
Appeal to district court in certain cases.  
7 U. S. C. § 499f (c), (d).

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subsection (c) of section 7 of the Perishable Agricultural Commodities Act, 1930 (46 Stat. 531), as amended by section 10 of the Act of August 20, 1937 (50 Stat. 725), is hereby amended by striking out the period at the end of the first sentence and by inserting in lieu thereof a colon and the following: "*Provided,* That in cases handled without a hearing in accordance with paragraphs (c) and (d) of section 6 or in which a hearing has been waived by agreement of the parties, appeal shall be to the district court of the United States for the district in which the party complained against is located."

Approved, May 14, 1940.

## [CHAPTER 197]

## AN ACT

May 14, 1940  
[S. 3675]  
[Public, No. 516]

To authorize the establishment of boundary lines for the Wilmington National Cemetery, North Carolina.

Wilmington National Cemetery, N. C.  
Fixing of boundary lines.

Exchange, etc., of lands.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized to enter into and execute an agreement or agreements with the owners or claimants of adjoining land to fix and establish the location of the boundary lines of the Wilmington National Cemetery, North Carolina, and he may, if he deems it advisable, give to or receive from such owners or claimants appropriate releases, by way of quitclaim deeds or otherwise.

Approved, May 14, 1940.