

SEC. 2. The words "funeral expenses" as used in this Act, and in subsequent Acts appropriating funds as herein authorized, shall be construed to include the expenses of, and incident to, the recovery of bodies; cremation, but only on request of the relatives of the deceased; preparation for burial; transportation to the home of the deceased or to a national or other cemetery designated by proper authority; and interment.

"Funeral expenses" defined.

SEC. 3. Funeral expenses shall be allowed for—

Persons entitled to benefits.
Post, p. 248.

(a) Officers and enlisted men of the Navy and Marine Corps, including those on the retired lists who die while on active duty;

(b) Members of the Nurse Corps (female) of the Navy, including those on the retired list who die while on active duty;

(c) Members of the Naval Reserve or Marine Corps Reserve who die while on active or training duty, or while performing authorized travel to or from such duty;

(d) Accepted applicants for enlistment;

(e) Civilian employees of the Navy Department or the Naval Establishment who have been ordered away from their homes in the United States to duty outside the continental limits of the United States and who die while on such duty or while performing authorized travel to or from such duty;

(f) Former enlisted men of the Navy and Marine Corps who were discharged while patients in hospitals and who remain as patients in such hospitals to the day of their death; and

(g) Pensioners and destitute patients who die in naval hospitals: *Provided*, That only the expenses of preparation for burial and interment shall be allowed in disposing of the remains of such pensioners and destitute patients.

Pensioners and destitute patients dying in naval hospitals.
Proviso.
Restriction.

SEC. 4. The provisions of this Act shall apply in the case of personnel temporarily absent with or without leave when death occurred.

Personnel temporarily absent when death occurred.

SEC. 5. In any case where funeral expenses authorized by this Act are incurred prior to receipt of official authority, reimbursement may be made in the amount allowed by the Navy Department for such services.

Reimbursement for expenses incurred; limitation.

SEC. 6. Funds to be expended under such regulations as the Secretary of the Navy may prescribe are hereby authorized to be appropriated as may be necessary from time to time for the purchase and care of cemetery lots; for the care of graves of deceased personnel of the Navy and Marine Corps outside the continental limits of the United States, with which shall be included those in sites not owned by the United States; and for the removal of remains from abandoned cemeteries to naval or national cemeteries or to the homes of the persons deceased, with which shall be included remains interred in isolated graves in the United States and abroad and remains temporarily interred.

Items included in expenses.
Post, p. 279.

Approved, April 20, 1940.

[CHAPTER 123]

AN ACT

To authorize an exchange of lands between the city of San Diego, California, and the United States, and acceptance by gift of certain lands from the city of San Diego, California.

April 22, 1940
[S. 2993]

[Public, No. 466]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to transfer under such conditions as may be approved by the said Secretary, to the city of San Diego, California, without cost to the said city of San Diego, California, all right, title, and interest in and to the following parcels,

San Diego, Calif.
Exchange of lands authorized.

situated in the city of San Diego, California, metes and bounds descriptions of which are on file in the Navy Department:

Parcel A. Sixty-one and seventy-two one-hundredths acres, more or less, of Marine Corps base area adjacent to the municipal airport, lying between the southwesterly prolongation of the southeasterly lines of Harasthy Street and Southerland Street to the combined pierhead and bulkhead line;

Parcel B. A triangular piece of land of the naval supply depot on the westerly side of Pacific Highway between E Street and F Street, containing six hundred and nineteen square feet, more or less;

Parcel C. A strip of land ten and one-half feet wide, of the naval training station, extending along and adjacent to Rosecrans Street, between Lytton Street and Lowell Street, including a curbed corner at the intersection of Lytton Street and Rosecrans Street, containing an area of one and sixty-eight one-hundredths acres, more or less;

Parcel D. That portion of the Marine Corps base lying to the north of the south side of Water Street extending easterly from Wright Street, containing an area of four and twenty-five one-hundredths acres, more or less;

Parcel E. A triangular piece of land comprising the corner at the intersection of Barnett Avenue and Pacific Highway, being a part of the Marine Corps base, containing an area of twenty-five one-hundredths of an acre, more or less;

Parcel F. Three areas comprising one and thirty-six one-hundredths acres, more or less, being a part of the destroyer base situated on the north and south sides of Bay Front Street included in the proposed Harbor Drive and a small parcel to the east thereof; in consideration of the transfer and quitclaim to the United States by said city of San Diego, free from all encumbrances, except as hereinafter provided, and without cost to the United States, all right, title, and interest which the said city may claim in and to the following parcels, metes and bounds descriptions of which are on file in the Navy Department:

Parcel 1. A parcel of land between Broadway and E Street and between Pacific Highway and the westerly line of Belt Street in the city of San Diego, California, containing an area of one and ninety-three one-hundredths acres, more or less, excepting and reserving therefrom (a) the area held and occupied by The Sunset Sea Food Company under a lease that expires on July 20, 1951; and (b) the area held and occupied by the Star and Crescent Oil Company under a lease that expires April 30, 1942: *Provided*, That the areas held under said leases, upon expiration of the terms thereof, become the property of the United States in fee simple.

Proviso.
Status of areas under leases.

Parcel 2. A parcel of land between E Street and F Street and between Harbor Street and the easterly line of Belt Street in the city of San Diego, California, containing an area of two and seven one-hundredths acres, more or less; excepting and reserving therefrom the area held and occupied by The Union Ice Company under a lease that expires on September 23, 1941: *Provided*, That the area held under said lease, upon expiration of the term thereof becomes the property of the United States in fee simple.

Proviso.
Status of area under lease.

Parcel 3. A parcel of land between F Street and Market Street and Harbor Street and Pacific Highway, in the city of San Diego, California, containing an area of four and twenty-six one-hundredths acres, more or less, excepting and reserving therefrom (a) the area held and occupied by the Arrowhead Puritas Distributors, Incorporated, under a lease that expires on February 28, 1947; and (b) the area held and occupied by the General Petroleum Corpora-

tion under a lease that expires on March 31, 1948: *Provided*, That the areas held under said leases, upon the expiration of the terms thereof, become the property of the United States in fee simple.

Proviso.
Status of areas under leases.

Parcel 4. A parcel of land between the United States bulkhead line and the United States pierhead line, lying southerly and adjacent to the present Navy pier in the city of San Diego, California, containing an area of two and seventy-seven one-hundredths acres, more or less: *Provided*, That said parcels 1 to 4, inclusive, shall be used for military purposes, and particularly for the purpose of establishing and maintaining thereon piers, landings, buildings, and structures to be used by the United States and reserving to the said city of San Diego perpetual easements in said parcels for the laying and maintaining of underground public utilities, such as sewers, drains, water mains, gas, electric, and power lines across said parcels wherever necessary or convenient.

Proviso.
Uses and purposes, parcels 1 to 4.

SEC. 2. The Secretary of the Navy is further authorized, on behalf of the United States, to accept from the city of San Diego, California, without cost to the United States, all right, title, and interest of the said city in and to the following-described parcels of land situated in the city of San Diego, California:

Parcel 1. A strip of municipal tidelands four hundred and thirty and five-tenths feet in width and containing fourteen and fifty-one one-hundredths acres, more or less, in the city of San Diego, California, lying northerly of and adjacent to the northerly line of the United States destroyer base for military uses of the United States and particularly to be used by the Navy Department in connection with and as part of the naval destroyer base in the city of San Diego;

Parcel 2. All land lying between the high-water mark and the westerly line of proposed Harbor Drive adjacent to the easterly boundary of the destroyer base, in the city of San Diego, California, excluding that portion of the destroyer base embraced within the proposed Harbor Drive on the northerly and southerly sides of Bay Front Street and to the east of proposed Harbor Drive, containing an area of eight acres, more or less;

Parcel 3. All that portion of Balboa Park, in the city of San Diego, California, in pueblo lots 1136 and 1143 of the pueblo lands of the city of San Diego, California, adjoining the southeasterly, southerly, and southwesterly boundaries of the Naval Hospital, San Diego, California, containing an area of thirty-two and ninety-three one-hundredths acres, more or less;

Parcel 4. A triangular area embracing portions of lots 2 to 11, inclusive, in West Atlantic Street Addition and a triangular area embracing the unnumbered block in Middletown, lots 7 to 12, inclusive, of block 231; and lots 7 to 12, inclusive, of block 236, in the city of San Diego, California, adjoining the northerly and easterly portions of the athletic field of the Marine Corps base, San Diego, California, containing an area of two acres, more or less.

SEC. 3. The Secretary of the Navy is further authorized, on behalf of the United States, to accept from the city of San Diego, California, without cost to the United States, all right, title, and interest of the said city in and to such other areas abutting the naval properties at San Diego, California, as will bring the exterior boundaries thereof to the adjoining boundary of the proposed Harbor Drive as now or hereafter may be located.

SEC. 4. The acceptance by the Secretary of the Navy of the transfer or quitclaim by the city of San Diego of any of the lands herein mentioned shall not be construed as a relinquishment by the United

Federal rights reserved.

States of its claim of title or interest in said land in any manner arising.

Amendment, etc.

SEC. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 22, 1940.

[CHAPTER 124]

AN ACT

April 22, 1940
[S. 3440]

[Public, No. 467]

To amend the Locomotive Inspection Act of February 17, 1911, as amended, so as to change the title of the chief inspector and assistant chief inspectors of locomotive boilers.

Locomotive Inspection Act, amendments.

36 Stat. 913.
45 U. S. C. §§ 22-34.
Titles of designated officers changed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto", approved February 17, 1911, as amended, is amended—

(1) By striking out "chief inspector" wherever appearing therein and inserting in lieu thereof "director of locomotive inspection".

(2) By striking out "assistant chief inspector" wherever appearing therein and inserting in lieu thereof "assistant director of locomotive inspection".

(3) By striking out "assistant chief inspectors" wherever appearing therein and inserting in lieu thereof "assistant directors of locomotive inspection".

(4) By striking out "of locomotive boilers" in the first sentence of section 3 and in section 9.

Textual amendments.

SEC. 2. Section 2 of the Act entitled "An Act to amend an Act entitled 'An Act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto', approved February seventeenth, nineteen hundred and eleven", approved March 4, 1915, is amended—

(1) By striking out "chief inspector" and inserting in lieu thereof "director of locomotive inspection".

(2) By striking out "assistant chief inspectors" and inserting in lieu thereof "assistant directors of locomotive inspection".

No new office, etc., created.

SEC. 3. Nothing in this Act shall be construed to create any new office or to create a vacancy in any office the title of which is changed by this Act.

Approved, April 22, 1940.

[CHAPTER 125]

AN ACT

April 22, 1940
[H. R. 6379]

[Public, No. 468]

To amend section 1 of an Act entitled "An Act authorizing the Secretary of the Interior to employ engineers and economists for consultation purposes on important reclamation work", approved February 28, 1929 (45 Stat. 1406).

Reclamation work.
43 U. S. C. § 411b.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of February 28, 1929 (45 Stat. 1406), authorizing the Secretary of the Interior to employ engineers and economists for consultation purposes on important reclamation work is hereby amended to read as follows:

Employment of engineers, etc., for consultation on important work.

"That the Secretary of the Interior is authorized, in his judgment and discretion, to employ for consultation purposes on important reclamation work ten consulting engineers, geologists, appraisers,