

Creek to a point known as the Quintana Road, and an underground storm sewer and open drainage ditches incident thereto, upon such conditions as the Secretary of War may prescribe: *Provided*, That in exchange Bexar County will convey to the United States its right, title, and interest in the site of the present road, which will be abandoned and closed, and which is described as that portion of the present Pearsall Road, approximately sixty feet wide, extending from the north line of Kelly Field, Texas, southwesterly approximately ten thousand six hundred and fifty feet to the north line of the proposed new road: *And provided further*, That Bexar County shall be allowed to salvage the surfacing materials from said road to be abandoned and closed.

Sewer, drainage, etc.

*Provisos.*  
Present road in exchange.

Salvaging of surfacing materials.

Appropriation authorized.

*Provisos.*  
Payments.

Maintenance after completion.

SEC. 2. There is hereby authorized to be appropriated the sum of \$60,000, or such amount thereof as may be necessary, for the construction of the hereinbefore-described road, storm sewer, and drainage ditches, including such fence or fences as are deemed necessary by the Secretary of War by reason of the construction of said road: *Provided*, That said sums shall be made payable to Precinct Numbered 1, Bexar County, State of Texas, after the Secretary of War determines that said road, storm sewer, drainage ditches and fence or fences have been satisfactorily completed: *And provided further*, That Bexar County shall maintain said road after its completion and constantly make needed repairs thereto to preserve a smooth surfaced highway.

Approved, June 15, 1938.

[CHAPTER 386]

AN ACT

To provide funds for cooperation with School District Numbered 2, Mason County, State of Washington, in the construction of a public-school building to be available to both white and Indian children.

June 15, 1938  
[S. 2368]

[Public, No. 613]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of \$25,000 for the purpose of cooperating with School District Numbered 2, Mason County, State of Washington, for the construction and equipment of a public-school building at Lower Skokomish, State of Washington: *Provided*, That said school shall be conducted for both white and Indian children without discrimination, and that the cost of education of white children shall be defrayed by the State and local public-school authorities, in accordance with such agreement or agreements as may be made between the Secretary of the Interior and State or local officials, and any and all sums of money obtained by reason of such agreement or agreements shall be available for reexpenditure for support and maintenance of said school.

Mason County, Wash.  
Appropriation authorized for public-school construction.

*Proviso.*  
White and Indian pupils.  
Payment of cost of education of white children.

Approved, June 15, 1938.

[CHAPTER 387]

AN ACT

For the relief of certain officers of the United States Navy and the United States Marine Corps.

June 15, 1938  
[S. 2409]

[Public, No. 614]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States be, and he is hereby, authorized to appoint to the next higher grade or rank on the active list such officers of the line of the United States Navy and such officers of the United States

Navy and Marine Corps.  
Advancement of certain officers ineligible for promotion under certain laws.

48 Stat. 811, 814,  
34 U. S. C. §§ 286h,  
626a.  
Navy Staff Corps,  
ineligible since Au-  
gust 5, 1935.

49 Stat. 530.  
34 U. S. C., Supp.  
III, §§ 349-349k.

Provisos.  
Establishment of  
qualifications.

Disqualifications  
caused in line of duty,  
retirement provisions.

Promoted officers to  
be carried as extra  
numbers, etc.

Effective date of  
promotion.

No back pay, etc.

Certain retired of-  
ficers, rank and re-  
tired pay.

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 Na-  
tional 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