

## [CHAPTER 765]

## AN ACT

To authorize the appointment of graduates of the Naval Reserve Officers' Training Corps to the line of the Regular Navy, and for other purposes.

October 8, 1940  
[H. R. 10406]  
[Public, No. 808]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That officers of the Naval Reserve commissioned therein upon graduation from the Naval Reserve Officers' Training Corps shall be eligible for appointment to commissioned rank in the line of the Regular Navy in such numbers as the President may deem necessary. Officers so appointed shall, upon appointment, occupy the same grade, with the same precedence, occupied by them in the Naval Reserve.

Regular Navy.  
Appointment to, of  
commissioned Naval  
Reserve officers.

SEC. 2. All appointees authorized by section 1 of this Act shall, on June 30 of the calendar year in which appointed, be less than twenty-six years of age, shall, on the same date, have completed at least one year of continuous active duty on board ships of the Navy, and shall, before appointment, establish their moral, physical, mental, and professional qualifications in accordance with such rules and regulations as the Secretary of the Navy may prescribe.

Requirements.

SEC. 3. Each officer appointed pursuant to the foregoing sections to the grade of ensign and each officer so appointed to a grade above that of ensign shall, respectively, become eligible for promotion, or for consideration by a line selection board as of the date the line officer next junior to him becomes so eligible: *Provided*, That the qualification of sea service prescribed in section 11 (c) of the Act of June 23, 1938 (52 Stat. 948), shall not apply to such officers while in the grade to which originally appointed.

Promotion.

*Proviso.*  
Sea service.  
34 U. S. C., Supp.  
V, § 311.

SEC. 4. Any officer of the Naval Reserve and Marine Corps Reserve may, with his own consent, be employed on active duty other than training duty in time of peace for such periods as the Secretary of the Navy may determine: *Provided*, That pay and allowances of officers employed on active duty pursuant to this section shall be paid from appropriations for "Pay, Subsistence, and Transportation of Naval Personnel" and "Pay, Marine Corps", as the case may be.

Officers of Naval  
and Marine Corps  
Reserve.  
Active duty in time  
of peace.  
*Proviso.*  
Pay and allowances.

Approved, October 8, 1940.

## [CHAPTER 777]

## AN ACT

To amend section 4472 of the Revised Statutes (U. S. C., 1934 edition, title 46, sec. 465) to provide for the safe carriage of explosives or other dangerous or semidangerous articles or substances on board vessels; to make more effective the provisions of the International Convention for Safety of Life at Sea, 1929, relating to the carriage of dangerous goods; and for other purposes.

October 9, 1940  
[H. R. 7357]  
[Public, No. 809]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 4472 of title 52 of the Revised Statutes, as amended (U. S. C., 1934 edition, title 46, sec. 465), is hereby amended to read as follows:

Carriage of danger-  
ous cargoes.

"SEC. 4472. (1) The word 'vessel' as used in this section shall include every vessel, domestic or foreign, regardless of character, tonnage, size, service, and whether self-propelled or not, on the navigable waters of the United States, including its Territories and possessions, but not including the Panama Canal Zone and the Philippine Islands, whether arriving or departing, or under way, moored, anchored, aground, or while in drydock; it shall not include any public vessel which is not engaged in commercial service, nor any vessel subject to the provisions of section 4417a of the Revised Statutes, as amended, which is constructed or converted for the principal

"Vessel" defined.

46 U. S. C., Supp.  
V, § 391a.