

shipmen graduated in 1933 who received a certificate of graduation and honorable discharge and whether they have since been married or not may, upon their own application, if physically qualified, and under such regulations as the Secretary of the Navy may prescribe, be appointed as ensigns prior to August 1, 1934, by the President and shall take rank next after the junior ensign appointed in 1933 and among themselves in accordance with their proficiency as shown by the order of merit at date of graduation: *And provided further*, That the number of such officers so appointed shall, while in excess of the total number of line officers otherwise authorized by law, be considered in excess of the number of officers in the grade of ensign as determined by any computation, and shall be excluded from any computation made for the purpose of determining the authorized number of line officers in any grade on the active list above the grade of lieutenant (junior grade) until the total number of line officers shall have been reduced below the number otherwise authorized by law."

Class of 1933.

Excess to be carried as extra numbers, etc.

SEC. 6. That hereafter any staff officer on the active list below the rank of lieutenant commander shall be advanced to the next higher rank in his corps when the running mate of such staff officer or an officer junior to such running mate has been promoted to that higher rank in the line of the Navy or when a vacancy in that rank exists in the line of the Navy which will in due course be filled by the promotion of his running mate or an officer junior to his running mate: *Provided*, That such staff officer is found qualified in accordance with law for such advancement. The provisions of law relating to the advancement of staff officers now embodied in sections 255, 321, and 348r (Supplement VII), of title 34, United States Code, are hereby amended in accordance with this section.

Equalization of promotions, staff with line officers.

*Proviso.* Qualification requirements.

U.S.C., Supp. VII, p. 802.

Approved, May 29, 1934.

[CHAPTER 369.]

AN ACT

To provide for the donation of certain Army equipment to posts of the American Legion.

May 29, 1934.  
[S. 1328.]

[Public, No. 285.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War is authorized and directed to give to each post of the American Legion to which obsolete or condemned Army rifles, slings, or cartridge belts have been loaned under authority of the Act entitled "An Act authorizing the Secretary of War to loan Army rifles to posts of the American Legion", approved February 10, 1920, as amended, any such equipment now held by such post, and to cancel and release all obligations to the United States incurred pursuant to such Act in connection with loans of such equipment to posts of the American Legion.

American Legion. Obsolete Army equipment donated to.

Vol. 41, pp. 403, 977.

Approved, May 29, 1934.

[CHAPTER 370.]

AN ACT

To amend the laws relating to the length of tours of duty in the Tropics and certain foreign stations in the case of officers and enlisted men of the Army, Navy, and Marine Corps, and for other purposes.

May 29, 1934.  
[S. 3397.]

[Public, No. 286.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 12 (requiring assignments of officers of the Army, Navy, or Marine Corps to permanent duty in the Tropics and at certain foreign stations to be for not less than three years) of the Treasury and Post

Foreign assignments of Army, etc., officers. Provision concerning permanent duty at certain foreign stations repealed.

Vol. 47, p. 1516.  
U.S.C., Supp. VII,  
p. 97.

Tour of duty restric-  
tions extended to Asia,  
certain insular posses-  
sions, and Canal Zone.  
Vol. 33, p. 1078.

U.S.C., Supp. VII,  
p. 97.

*Proviso.*  
Philippine Scouts not  
affected.

Office Appropriation Act, fiscal year 1934, approved March 3, 1933 (U.S.C., Supp. VII, title 10, sec. 17a), is hereby repealed.

Sec. 2. The second and third provisos in the paragraph with the heading "Barracks and Quarters, Philippine Islands" in the Act entitled "An Act making appropriations for the support of the Army for the fiscal year ending June 30, 1916", approved March 4, 1915 (U.S.C., Supp. VII, title 10, sec. 17), are hereby amended to read as follows: "No officer or enlisted man of the Army shall, except upon his own request, be required to serve in a single tour of duty for more than two years in the Philippine Islands, on the Asiatic Station, or in China, Hawaii, Puerto Rico, or the Panama Canal Zone, except in case of insurrection or of actual or threatened hostilities and except in the discretion of the Secretary of War for temporary emergencies: *Provided*, That the foregoing provision shall not apply to the organization known as the 'Philippine Scouts'."

Approved, May 29, 1934.

[CHAPTER 371.]

AN ACT

May 30, 1934.  
[H. R. 2837.]

[Public, No. 267.]

To provide for the establishment of the Everglades National Park in the State of Florida and for other purposes.

Everglades National  
Park, Fla.  
Establishment, when  
title to lands is vested  
in United States.  
Area, location, etc.

Vol. 45, p. 1443.

*Proviso.*  
Lands secured only  
by donation.

Acceptance of title.

*Proviso.*  
Restriction, until ex-  
clusive jurisdiction  
over entire area is  
ceded.

National Park Serv-  
ice to administer, etc.

Vol. 39, p. 535.

*Provisos.*  
Water Power Act not  
applicable.  
Vol. 41, p. 1063.  
Rights of Indians.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That when title to all the lands within boundaries to be determined by the Secretary of the Interior within the area of approximately two thousand square miles in the region of the Everglades of Dade, Monroe, and Collier Counties, in the State of Florida, recommended by said Secretary, in his report to Congress of December 3, 1930, pursuant to the Act of March 1, 1929 (45 Stat., pt. 1, p. 1443), shall have been vested in the United States, said lands shall be, and are hereby, established, dedicated, and set apart as a public park for the benefit and enjoyment of the people and shall be known as the Everglades National Park: *Provided*, That the United States shall not purchase by appropriation of public moneys any land within the aforesaid area, but such lands shall be secured by the United States only by public or private donation.

SEC. 2. The Secretary of the Interior is hereby authorized, in his discretion and upon submission of evidence of title satisfactory to him, to accept on behalf of the United States, title to the lands referred to in the previous section hereof as may be deemed by him necessary or desirable for national-park purposes: *Provided*, That no land for said park shall be accepted until exclusive jurisdiction over the entire park area, in form satisfactory to the Secretary of the Interior, shall have been ceded by the State of Florida to the United States.

SEC. 3. The administration, protection, and development of the aforesaid park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended: *Provided*, That the provisions of the Act approved June 10, 1920, known as the Federal Water Power Act, shall not apply to this park: *Provided further*, That nothing in this Act shall be construed to lessen any existing rights of the Seminole Indians which are not in conflict with the purposes for which the