

## [CHAPTER 135]

## AN ACT

To provide for the settlement of claims of military personnel and civilian employees of the War Department or of the Army for damage to or loss, destruction, capture, or abandonment of personal property occurring incident to their service.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War, and such other officer or officers as he may designate for such purposes and under such regulations as he may prescribe, are hereby authorized to consider, ascertain, adjust, determine, settle, and pay any claim against the United States, including claims not heretofore satisfied arising on or after December 7, 1939, of military personnel and civilian employees of the War Department or of the Army, when such claim is substantiated, and the property determined to be reasonable, useful, necessary, or proper under the attendant circumstances, in such manner as the Secretary of War may by regulation prescribe, for damage to or loss, destruction, capture, or abandonment of personal property occurring incident to their service, or to replace such personal property in kind: *Provided*, That the damage to or loss, destruction, capture, or abandonment of property shall not have been caused in whole or in part by any negligence or wrongful act on the part of the claimant, his agent, or employee, and shall not have occurred at quarters occupied by the claimant within continental United States (excluding Alaska) which are not assigned to him or otherwise provided in kind by the Government. No claim shall be settled under this Act unless presented in writing within one year after the accident or incident out of which such claim arises shall have occurred: *Provided*, That if such accident or incident occurs in time of war, or if war intervenes within two years after its occurrence, any claim may, on good cause shown, be presented within one year after peace is established. Any such settlement made by the Secretary of War, or his designee, under the authority of this Act and such regulations as he may prescribe hereunder, shall be final and conclusive for all purposes, notwithstanding any other provision of law to the contrary.

SEC. 2. Such appropriations as may be required for the settlement of claims under the provisions of this Act are hereby authorized. Appropriations available to the War Department for the settlement of claims under the provisions of the Act of March 3, 1885 (23 Stat. 350), as amended, shall be available for the settlement of claims under the provisions of this Act.

SEC. 3. Sections 3483-3488 of the Revised Statutes (31 U. S. C. 209-214), and the Act of March 3, 1885 (23 Stat. 350), as amended by the Act of July 9, 1918 (40 Stat. 880), and by the Act of March 4, 1921 (41 Stat. 1436; 31 U. S. C. 218-222), and by section 6 of the Act of July 3, 1943 (57 Stat. 374; 31 U. S. C. 222a, 222b), are hereby repealed.

SEC. 4. That portion of section 1 of the Act of July 3, 1943 (57 Stat. 372; 31 U. S. C. 223b), reading as follows: "The provisions of this Act shall not be applicable to claims arising in foreign countries or possessions thereof which are cognizable under the provisions of the Act of January 2, 1942 (55 Stat. 880; 31 U. S. C. 224d), as amended, or to claims for damage to or loss or destruction of property of military personnel or civilian employees of the War Department or of the Army, or for personal injury or death of such persons, if such damage, loss, destruction, injury, or death occurs

May 29, 1945  
[H. R. 2066]  
[Public Law 67]

Military Personnel  
Claims Act of 1945.

Claims arising on or  
after Dec. 7, 1939.

Negligence or wrong-  
ful act of claimant, etc.

Time limitation.

Settlement to be  
final and conclusive.

Appropriations au-  
thorized.  
*Post*, p. 389.

31 U. S. C. §§ 218-  
222; Supp. IV, §§ 222a,  
222b.  
*Infra*.

31 U. S. C. §§ 218-222.

31 U. S. C., Supp.  
IV, §§ 222a, 222b.

31 U. S. C., Supp.  
IV, § 223b.

31 U. S. C., Supp.  
IV, § 224d.  
*Post*, p. 511.

Claims arising in foreign countries, etc.

incident to their service." is hereby amended, effective as of the date of approval of said Act, to read as follows: "The provisions of this Act shall not be applicable to claims arising in foreign countries or possessions thereof which are cognizable under the provisions of the Act of January 2, 1942 (55 Stat. 880; 31 U. S. C. 224d), as amended, or to claims for personal injury or death of military personnel or civilian employees of the War Department or of the Army if such injury or death occurs incident to their service."

Short title.

SEC. 5. This Act may be cited as the "Military Personnel Claims Act of 1945".

Approved May 29, 1945.

[CHAPTER 136]

JOINT RESOLUTION

Repealing a portion of the appropriation and contract authorization available to the Maritime Commission.

May 29, 1945  
[H. J. Res. 177]  
[Public Law 68]

Maritime Commission, construction fund.

49 Stat. 1987.  
46 U. S. C. § 1116.

Contract authorization, reduction.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That out of the current unexpended balance of appropriations heretofore made to the Maritime Commission under the head "Construction fund, United States Maritime Commission Act, June 24, 1936, revolving fund", the sum of \$3,100,000,000 shall be carried to the surplus fund and be covered into the Treasury immediately upon the approval of this joint resolution: *Provided*, That the present contract authorization for ship construction and facilities incident thereto is hereby reduced by \$4,265,000,000.

Approved May 29, 1945.

[CHAPTER 137]

AN ACT

To suspend until six months after the termination of the present wars section 2 of the Act of March 3, 1883 (22 Stat. 481), as amended.

May 29, 1945  
[S. 645]  
[Public Law 69]

Naval officers, shore duty.  
34 U. S. C. § 222.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 2 of the Act of March 3, 1883 (22 Stat. 481), as amended, is hereby suspended until six months after the termination of the present wars as determined by the proclamation of the President or concurrent resolution of the Congress, whichever is earlier.

Approved May 29, 1945.

[CHAPTER 138]

AN ACT

To authorize the Secretary of the Navy to convey to the State of Rhode Island, for highway purposes only, a strip of land within the naval advance base depot at North Kingstown, Rhode Island.

May 29, 1945  
[S. 647]  
[Public Law 70]

Rhode Island. Conveyance of land to State.

*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 is hereby authorized to convey (subject to section 2 of this Act) to the State of Rhode Island, for highway purposes only, upon such terms and conditions as he may prescribe, all right, title, and interest of the United States in and to a strip or parcel of land, the metes and bounds description of which is on file in the Navy Department, consisting of two and five hundred eighty-three one-thousandths acres, more or less, situated within the boundaries of the United States Naval Advance Base Depot, North Kingstown, Washington County, Rhode Island.