

the Naval Reserve Officers' Training Corps shall be eligible for appointment as Naval Reserve officers under the same conditions as provided by law for the appointment of Naval Reserve officers from other citizens of the United States, and when so appointed shall have the same status and be entitled to the same benefits in all respects as provided by law for other members of the Naval Reserve: *And provided further*, That the word "naval" wherever used in this section shall be construed to include Marine Corps: *Provided further*, That the total personnel of the Naval Reserve Officers' Training Corps shall not exceed at any one time more than twelve hundred. (Mar. 4, 1925, c. 536, § 22, 43 Stat. 1276.)

#### MARINE CORPS TRAINING CAMPS

831. **Establishment, maintenance, and regulation.**—The Secretary of the Navy is authorized to establish and maintain at such places as he may designate, and prescribe regulations for the government thereof, Marine Corps training camps for the instruction of citizens of the United States who make application and are designated for such training; no such camps to be in existence for a period longer than six weeks in each fiscal year, except in time of actual or threatened war; to use Marine Corps and such other Government property as he may deem necessary for the military training of such citizens while in attendance at such camps. The Quartermaster's Department, United States Marine Corps, is authorized to sell such articles of uniform clothing as may be prescribed at cost price to the volunteer citizens who are designated to participate in these instructions: *Provided*, That these citizens shall be required to furnish at their own expense transportation and subsistence to and from these camps, and subsistence while undergoing training therein. (Aug. 29, 1916, c. 417, 39 Stat. 614.)

#### NAVAL MILITIA

841. **Admission of officers or enlisted men in Fleet Naval Reserve; rank and rating; exemptions; use of facilities of Navy.**—Of the Organized Militia, as provided by law, such part as may be duly prescribed in any State, Territory, or the District of Columbia shall constitute a Naval Militia. Any officer or enlisted man of such Naval Militia may, in the discretion of the Secretary of the Navy, be appointed or enlisted in the Fleet Naval Reserve in the grade, rank, or rating not above the rank of lieutenant for which he may be found qualified in accordance with such special regulations as may be prescribed by the Secretary of the Navy: *Provided*, That each officer and enlisted man of the Naval Militia appointed or enlisted in the Fleet Naval Reserve shall be required within one year after the date of his appointment or enlistment in the Fleet Naval Reserve to qualify for the rank or rating he may hold in accordance with the general regulations governing the Fleet Naval Reserve: *Provided further*, That officers and men of the Naval Reserve who are members of the Naval Militia of any State, Territory, or the District of Columbia shall stand relieved from all service or duty in said Naval Militia when on active duty in time of war or national emergency: *Provided further*, That such vessels, material, armament, equipment, and other facilities of the regular Navy as are or may be made available for the Fleet Naval Reserve shall also be available, in the discretion of the Secretary of the Navy, for issue or loan to the several States, Territories, or the District of Columbia, for the administration and training of units of the Naval Militia, but no such facilities of the regular Navy shall be furnished for use by any portion or unit of the Naval Militia unless at least 95 per centum of its personnel has been appointed or enlisted in the Fleet Naval Reserve and unless its organization, administration, and training conform to the standard prescribed by the Secretary of the Navy for such units. (Feb. 28, 1925, c. 374, § 28, 43 Stat. 1088.)

#### ELIGIBLE LIST FOR REGULAR AND RESERVE FORCES

851. **Civilians commissioned in regular Navy in time of war; reappointment of former officers.**—For the purpose of securing a list of persons especially qualified to hold commissions in the Navy or in any reserve or volunteer naval force which may hereafter be called for and organized under the authority of Congress, other than a force composed of Organized Naval Militia, the Secretary of the Navy is authorized from time to time to convene examining boards at suitable and convenient places in different parts of the United States, who shall examine as to their qualifications for naval duties all applicants who shall have served in the regular Navy of the United States or in the Organized Naval Militia of any State or Territory or the District of Columbia. Such examination shall be under rules and regulations prescribed by the Secretary of the Navy. The record of previous services of the applicant shall be considered as part of the examination. Those applicants who pass such examinations shall be certified as to their fitness for naval duties and rank, and shall, subject to a physical examination at any time, constitute an eligible class for commissions, pursuant to such certification, in any volunteer naval force hereafter called for and organized under the authority of Congress other than a force composed of Organized Naval Militia; and the President is hereby further authorized, upon the outbreak of war, or when, in his opinion, war is imminent, to commission in the regular Navy for the exigency of such war such of the persons whose names have been certified as above provided as he may select: *Provided*, That no one shall be commissioned to a higher rank than the rank for which he may have been recommended by said examining board: *And provided further*, That the President may also commission or warrant as of the highest rank formerly held by him, or the present equivalent of such former rank in case the nomenclature or some of the specific duties of the same may have been changed, any person who having been formerly a commissioned or warrant officer of the United States Navy shall have been honorably discharged from the service: *And provided further*, That persons may be commissioned in the Navy, for engineer duties only, and for all line duties other than engineer duties, and when so commissioned shall have the full rank, pay, precedence, and so forth, of the line grade for which they are commissioned. (Feb. 16, 1914, c. 21, § 21, 38 Stat. 289.)

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## GENERAL PROVISIONS AS TO OFFICERS AND ENLISTED MEN

**Section 862. Commencement of pay of officer on original entry into service.**—The pay of an officer of the Navy, upon his original entry into the service, except where he is required to give an official bond, shall commence upon the date of his acceptance of his appointment; but where he is required to give such bond his pay shall commence upon the date of the approval of his bond by the proper authority. (R. S. § 1560.)

**863. Pay of graduates of Naval Academy.**—Every midshipman who has heretofore graduated or may hereafter graduate from the Naval Academy, and who has been or may hereafter be commissioned, within six months after such graduation, an officer in the Navy or Marine Corps of the United States, under the laws appointing such graduate to the Navy or Marine Corps, shall be allowed the pay of the grade in which he may be so commissioned from the date he takes rank as stated in his commission. (Mar. 3, 1893, c. 212, 27 Stat. 715; July 1, 1902, c. 1368, 32 Stat. 686.)

**864. Pay of Admiral and Vice Admiral.**—Except as otherwise provided in section 12 of Title 37, PAY AND ALLOWANCES, the pay of an Admiral shall be \$10,000 and the pay of a Vice Admiral \$9,000 per annum. (May 22, 1917, c. 20, § 18, 40 Stat. 89.)

**865. Allowances; commissioned officers generally.**—Commissioned officers of the Navy shall receive the same allowances, except forage, as provided by or in pursuance of law for the officers of corresponding rank in the Army. (Mar. 3, 1899, c. 413, § 13, 30 Stat. 1007; Aug. 29, 1916, c. 417, 39 Stat. 581; June 10, 1922, § 21, c. 212, 42 Stat. 633.)

**866. Allowances of Admiral and Vice Admiral.**—Except as otherwise provided in section 12 of Title 37, PAY AND ALLOWANCES, the officers of the Navy holding the rank and title of Admiral and Vice Admiral in the Navy while holding such rank and title shall receive the allowances of a General and Lieutenant general of the Army, respectively. (Mar. 3, 1899, c. 421, 30 Stat. 1024; July 1, 1918, c. 114, 40 Stat. 717.)

**867. Additional pay of aids to rear admirals.**—Aids to rear admirals embraced in the lower half of that grade shall each receive \$150 additional per annum, and aids to all other rear admirals, \$200 additional per annum each. (May 13, 1908, c. 166, 35 Stat. 128; Aug. 29, 1916, c. 417, 39 Stat. 577; June 10, 1922, § 21, c. 212, 42 Stat. 633.)

**868. Pay of Superintendent, Naval Academy.**—The pay of the Superintendent of the Naval School at Annapolis shall be at the rate allowed to an officer of his rank when in service at sea. (Sept. 23, 1850, c. 80, 9 Stat. 515.)

**869. Pay of commandant, Mare Island Navy Yard.**—The pay of the officer of the Navy assigned to the command of the

navy yard at Mare Island, California, shall be the sea pay of his grade. (Mar. 3, 1863, No. 25, 12 Stat. 825.)

**870. Pay and allowances of officers advanced in grade and rank after March 3, 1899.**—All officers of the Navy who, since the 3d day of March, 1899, have been advanced or may hereafter be advanced in grade or rank pursuant to law shall be allowed the pay and allowances of the higher grade or rank from the dates stated in their commissions. (Mar. 4, 1913, c. 148, 37 Stat. 892.)

**871. Pay and allowances of officer of Navy or Marine Corps on leave of absence and engaged in service other than that of Government.**—No officer of the Navy or Marine Corps while on leave of absence engaged in a service other than that of the Government of the United States, shall be entitled to any pay or allowances for a period in excess of that for which he is entitled to full pay, unless the President otherwise directs. (May 28, 1924, c. 203, 43 Stat. 202; Feb. 11, 1925, c. 203, 43 Stat. 879.)

**872. Pay and allowances of officers of Navy and Marine Corps while serving on duty in coordination of business of Government.**—Hereafter no commissioned officer of the Navy or Marine Corps shall be deprived of his right to pay and allowances while serving on such duty as the President may direct in the coordination of the business of the Government, as now being conducted by him under the general supervision of the Director of the Bureau of the Budget: *Provided*, That the number of officers detailed to this duty shall not at any time exceed twenty-six. (June 7, 1924, c. 201, Title I, 43 Stat. 481; Feb. 12, 1925, c. 225, Title I, 43 Stat. 895.)

**873. Pay and allowances of acting chaplains.**—Acting chaplains provided for in section 92 shall have the pay and allowances of Lieutenant (junior grade) in the Navy. (June 30, 1914, c. 130, 38 Stat. 403.)

**874. Pay and allowances of dental officers.**—All dental officers shall receive the same pay and allowances as officers of corresponding rank and length of service in the Naval Medical Corps up to and including the rank of Lieutenant commander: *Provided*, That dental surgeons shall be eligible for advancement in pay and allowances, but not in rank, to and including the pay and allowances of commander and captain, subject to such examinations as the Secretary of the Navy may prescribe, except that the number of dental surgeons with the pay and allowances of captain shall not exceed 4½ per centum and the number of dental surgeons with the pay and allowances of commander shall not exceed 8 per centum of the total authorized number of dental officers: *Provided further*, That dental surgeons shall be eligible for advancement to the pay and allowances of commander and captain when their total active service as dental officers in the Navy is such that if rendered as officers of the Naval Medical Corps, it would place them in the list of medical officers with the pay and allowances of commander or captain, as the case may be: *And provided further*, That dental officers who shall have gained or lost numbers on the Navy list shall be considered to have gained or lost service accordingly; and the time served by dental officers on active duty as acting assistant dental surgeons and assistant dental surgeons under provisions of law existing prior to July 1, 1918, shall be reckoned in computing the increased service pay and service for precedence and promotion of dental officers herein authorized or heretofore appointed. (Aug. 29, 1916, c. 417, 39 Stat. 573; July 1, 1918, c. 114, 40 Stat. 708.)

**875. Advances to officers ordered to and from sea or shore duty beyond seas.**—Advances of pay not to exceed three months' pay in any one case may be made to officers ordered to and from sea duty and to and from shore duty beyond the seas, under such regulations as the Secretary of the Navy may prescribe: *Provided*, That the President of the United States may direct such advances, as he may deem necessary and proper,

to such persons in the Naval Service as may be employed on distant stations where the discharge of the pay and emoluments to which they are entitled can not be regularly effected. (R. S. § 1503; Mar. 4, 1917, c. 130, 39 Stat. 1181.)

**876. Pay of persons acting as paymaster when office vacant in ship at sea.**—Any person performing the duties of paymaster, acting assistant paymaster, or assistant paymaster, in a ship at sea, or on a foreign station, or on the Pacific coast of the United States, by appointment of the senior officer present, in case of vacancy of such office, in accordance with the provisions of section 62, and not otherwise, shall be entitled to receive the pay of such grade while so acting. (R. S. § 1564.)

**877. Pay, allowances, and benefits of electricians and radio electricians.**—All persons appointed in the commissioned warrant grades of chief electrician and chief radio electrician, and the warrant grades of electrician and radio electrician in the United States Navy, shall have the same pay, allowances, and other benefits as now are or may hereafter be allowed other commissioned warrant and warrant officers in the Navy. (Mar. 4, 1925, c. 536, § 12, 43 Stat. 1274.)

**878. Pay and allowances of reserve nurses.**—Reserve nurses when assigned to active duty as provided in section 42 shall receive the pay and allowances of nurses. But they shall receive no compensation except when on active duty. (May 13, 1908, c. 100, 35 Stat. 140.)

**879. Longevity pay; credit for service in Coast Guard and former Revenue-Cutter Service.**—For the purposes of computing longevity pay and retirement privileges of officers and enlisted men of the Navy, all creditable service in the Coast Guard and former Revenue-Cutter Service shall be counted. (June 4, 1920, c. 228, § 3, 41 Stat. 835.)

**880. Constructive service; not to apply to officers appointed after March 4, 1913.**—All officers, including warrant officers, who have been or may be appointed to the Navy from civil life shall, on the date of appointment, be credited, for computing their pay, with five years' service: *Provided*, That this shall not apply to any person entering the Navy from and after March 4, 1913. (Mar. 3, 1899, c. 413, § 13, 30 Stat. 1007; Mar. 4, 1913, c. 148, 37 Stat. 801.)

**881. Furlough pay.**—Officers on furlough shall receive only one-half of the pay to which they would have been entitled if on leave of absence. (R. S. § 1557.)

**882. Pay as affected by absence from duty on account of sickness resulting from misconduct.**—No officer or enlisted man in the Navy or Marine Corps in active service who shall be absent from duty on account of injury, sickness, or disease resulting from his own intemperate use of drugs or alcoholic liquors, or other misconduct, shall receive pay for the period of such absence, the time so absent and the cause thereof to be ascertained under such procedure and regulations as may be prescribed by the Secretary of the Navy. (Aug. 29, 1916, c. 417, 39 Stat. 580; July 1, 1918, c. 114, 40 Stat. 717.)

**883. No payment to be made to officers employed by contractors.**—No payment shall be made from appropriations made by Congress to any officer in the Navy or Marine Corps on the active or retired list while such officer is employed by any person or company furnishing naval supplies or war material to the Government; and such employment is hereby made unlawful. (June 10, 1896, c. 399, 29 Stat. 361.)

**884. Promotion of warrant officers not to reduce pay.**—No warrant officer promoted six years from date of warrant shall suffer a reduction in pay which but for such promotion would have been received by him. (Mar. 3, 1909, c. 255, 35 Stat. 771.)

#### MILEAGE AND TRAVEL ALLOWANCE

**891. Mileage books or commutation tickets.**—The Secretary of the Navy is authorized to continue to purchase such mileage books, commutation tickets, and other similar transporta-

tion tickets as may in his discretion seem necessary, and to furnish same to officers and others ordered to perform travel on official business; and payment for such transportation tickets upon their receipt, in accordance with commercial usage, or prior to the actual performance of the travel involved, shall not be regarded as an advance of public money within the meaning of section 529 of Title 31, MONEY AND FINANCE. (Apr. 27, 1904, c. 1030, § 1, 33 Stat. 403.)

**892. Officers traveling abroad.**—Officers of the Navy traveling abroad under orders shall travel by the most direct route, the occasion and necessity for such order to be certified by the officer issuing the same. (Aug. 5, 1882, c. 391, 22 Stat. 286.)

**893. Per diem to officers and enlisted men of Navy and Marine Corps making aerial surveys of rivers, harbors, etc.**—To cover actual additional expenses to which fliers are subjected when making aerial surveys, hereafter a per diem of \$7 in lieu of other travel allowances shall be paid to officers, warrant officers, and enlisted men of the Army, Navy, and Marine Corps for the actual time consumed while traveling by air, under competent orders, in connection with aerial surveys of rivers and harbors, or other governmental projects, and a per diem of \$6 for the actual time consumed in making such aerial surveys, to be paid from appropriations available for the particular improvement or project for which the survey is being made: *Provided*, That not more than one of the per diem allowances authorized in this section shall be paid for any one day. (Mar. 3, 1925, c. 407, § 5, 43 Stat. 1190.)

**894. Settlement of traveling expense claims.**—The settlement of all traveling expense claims, where the payment of such is authorized by existing law, and the determination of distances and of what constitutes the shortest usually traveled route in the meaning of laws relating to traveling allowances, shall accord to such rules as the Secretary of the Navy may prescribe. (Mar. 3, 1909, c. 255, 35 Stat. 774.)

**895. Travel allowance to enlisted men on discharge.**—An enlisted man discharged from the Navy or Marine Corps, except by way of punishment for an offense, shall receive 5 cents per mile for the distance from the place of his discharge to the place of his acceptance for enlistment, enrollment, or muster into the service: *Provided*, That for sea travel involved in travel between place of discharge and place of acceptance for enrollment, enlistment, or muster into the service only transportation in kind and subsistence en route shall be allowed: *Provided further*, That enlisted men under the age of eighteen discharged on the application of either of their parents or legal guardian shall be furnished with transportation in kind from the place of discharge to the railroad station at or nearest to the place of acceptance for enlistment, or to their home if the distance thereto is no greater than from the place of discharge to the place of acceptance for enlistment, but if the difference be greater they may be furnished transportation in kind for a distance equal to that from the place of discharge to the place of acceptance for enlistment. (June 3, 1916, c. 134, § 126, 39 Stat. 217; Feb. 28, 1919, c. 70, § 3, 40 Stat. 1203; Sept. 22, 1922, c. 409, 42 Stat. 1021.)

**896. Transportation to families of officers and enlisted men on permanent change of station; transportation of household effects.**—Subject to the provisions of section 20 of Title 37, PAY AND ALLOWANCES, hereafter when any commissioned officer, noncommissioned officer of the grade of color sergeant and above, including any noncommissioned officer of the Marine Corps of corresponding grade, warrant officer, chief petty officer, or petty officer (first class), having a wife or dependent child or children, is ordered to make a permanent change of station, the United States shall furnish transportation in kind from funds appropriated for the transportation of the Army, the Navy, the Marine Corps, the Coast Guard, the Coast and

Geodetic Survey, and the Public Health Service to his new station for the wife and dependent child or children: *Provided*, That for persons in the naval service the term "permanent station," as used in this section, shall be interpreted to mean a shore station or the home yard of the vessel to which the person concerned may be ordered; and a July authorized change in home yard or home port of such vessel shall be deemed a change of station: *Provided further*, That if the cost of such transportation exceeds that for transportation from the old to the new station the excess cost shall be paid to the United States by the officer concerned: *Provided further*, That transportation supplied the wife or dependent child or children of such officer, to or from stations beyond the continental limits of the United States, shall not be other than by Government transport, if such transportation is available: *And provided further*, That the personnel of the Navy shall have the benefit of all existing laws applying to the Army and the Marine Corps for the transportation of household effects. (May 18, 1920, c. 100, § 12, 41 Stat. 604.)

#### RATIONS

**901. Rations of enlisted men and boys, and midshipmen.**—All enlisted men and boys in the Navy, attached to any United States vessel or station and doing duty thereon, and midshipmen, shall be allowed a ration, or commutation thereof in money, under such limitations and regulations as the Secretary of the Navy may prescribe. (Jan. 30, 1825, c. 43, § 1, 23 Stat. 291.)

**902. Constituents of Navy ration.**—The Navy ration shall consist of the following daily allowance of provisions to each person: One pound and a quarter of salt or smoked meat, with three ounces of dried or six ounces of canned or preserved fruit, and three gills of beans or pease, or twelve ounces of flour; or one pound of preserved meat, with three ounces of dried or six ounces of canned or preserved fruit and eight ounces of rice or twelve ounces of canned vegetables, or six ounces of desiccated vegetables; together with one pound of biscuit, two ounces of butter, four ounces of sugar, two ounces of coffee or cocoa, or one-half ounce of tea and one ounce of condensed milk or evaporated cream; and a weekly allowance of one-quarter pound of macaroni, four ounces of cheese, four ounces of tomatoes, one-half pint of vinegar or sauce, one-quarter pint of pickles, one-quarter pint of molasses, four ounces of salt, one-half ounce of pepper, one-eighth ounce of spices, and one-half ounce of dry mustard. Seven pounds of lard, or a suitable substitute, shall be allowed for every hundred pounds of flour issued as bread, and such quantities of yeast and flavoring extracts as may be necessary. (R. S. § 1580; July 1, 1902, c. 1368, 32 Stat. 679; June 29, 1906, c. 3590, 34 Stat. 570.)

**903. Substitutions in ration.**—The following substitution for the components of the ration may be made when deemed necessary by the senior officer present in command: For one and one-quarter pounds of salt or smoked meat or one pound of preserved meat, one and three-quarter pounds of fresh meat or fresh fish, or eight eggs; in lieu of the articles usually issued with salt, smoked or preserved meat, one and three-quarter pounds of fresh vegetables; for one pound of biscuit, one and one-quarter pounds of soft bread or eighteen ounces of flour; for three gills of beans or pease, twelve ounces of flour or eight ounces of rice or other starch food, or twelve ounces of canned vegetables; for one pound of condensed milk or evaporated cream, one quart of fresh milk; for three ounces of dried or six ounces of canned or preserved fruit, nine ounces of fresh fruit; and for twelve ounces of flour or eight ounces of rice or other starch food, or twelve ounces of canned vegetables, three gills of beans or pease; in lieu of the weekly allowance of one-quarter pound of macaroni, four ounces of

cheese, one-half pint of vinegar or sauce, one-quarter pint of pickles, one-quarter pint of molasses, and one-eighth ounce of spices, three pounds of sugar, or one and a half pounds of condensed milk, or one pound of coffee, or one and a half pounds of canned fruit, or four pounds of fresh vegetables, or four pounds of flour.

Any article comprised in the Navy ration may be issued in excess of the authorized quantity, provided there be an under issue of the same value in some other article or articles. (R. S. § 1581; June 29, 1906, c. 3590, 34 Stat. 571; Mar. 2, 1907, c. 2512, 34 Stat. 1193; May 3, 1880, c. 73, 21 Stat. 86; July 1, 1902, c. 1368, 32 Stat. 680.)

**904. Short allowance.**—In case of necessity the daily allowance of provisions may be diminished at the discretion of the senior officer present in command; but payment shall be made to the persons whose allowance is thus diminished, according to the scale of prices for the same established at the time of such diminution. And every commander who makes any diminution or variation shall give to the paymaster written orders therefor, specifying particularly the diminution or variation which is to be made, and shall report to his commanding officer, or to the Navy Department, the necessity for the same. (R. S. § 1582.)

**905. Rations stopped for the sick.**—Rations stopped for the sick on board vessels shall remain and be accounted for by the paymaster as a part of the provisions of the vessels. (R. S. § 1583.)

**906. Extra allowance to men standing night watches.**—An extra allowance of one ounce of coffee or cocoa, two ounces of sugar, four ounces of hard bread or its equivalent, and four ounces of preserved meat or its equivalent shall be allowed to enlisted men of the engineer and dynamo force who stand night watches between eight o'clock postmeridian and eight o'clock antemeridian, under steam. (June 29, 1906, c. 3590, 34 Stat. 571.)

**907. Commutation price of ration.**—Forty cents shall in all cases be deemed the commutation price of the Navy ration: *Provided, however,* That after January 1, 1918, the commutation price shall not exceed the average cost of the ration during the preceding six months, not to exceed 40 cents. (R. S. § 1585; Oct. 6 1917, c. 102, 40 Stat. 307.)

**908. Money accruing from rations commuted for benefit of mess; payment to commissary officer.**—Money accruing from the rations of enlisted men commuted for the benefit of any mess may be paid on public bills to the commissary officer by the pay officer having their accounts. (July 1, 1902, c. 1368, 32 Stat. 680.)

#### QUARTERS

**911. Assignment of quarters or commutation thereof; authority of Secretary of Navy.**—The Secretary of the Navy may determine where and when there are no public quarters available for persons in the Navy and Marine Corps, or serving therewith, within the meaning of any Acts or parts of Acts relating to the assignment of quarters. (July 1, 1918, c. 114, 40 Stat. 718; June 10, 1922, c. 212, § 21, 42 Stat. 633.)

**912. Heat or light in kind prohibited to persons receiving allowance for rental of quarters.**—Nothing contained in any existing laws, or regulations or orders promulgated in pursuance of law, shall authorize the issue of heat or light in kind to any person in the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service while such person is receiving an allowance for rental of quarters under the provisions of Title 37, PAY AND ALLOWANCES. (Mar. 2, 1923, c. 178, Title I, 42 Stat. 1385.)

**913. Rank or precedence of staff officer as giving no additional right to quarters.**—No staff officer shall, in virtue of his rank or precedence, have any additional right to quarters. (R. S. § 1487.)

#### CLOTHING ALLOWANCE

**916. Outfits on first enlistment.**—In order to encourage the enlistment of boys as apprentices in the United States Navy, the Secretary of the Navy is authorized to furnish as a bounty to each of said apprentices after his enlistment, and when first received on board of a training ship, an outfit of clothing not to exceed in value the sum of \$15. (Mar. 1, 1889, c. 331, 25 Stat. 781.)

**917. Outfits on second enlistment.**—The Secretary of the Navy is authorized to issue a clothing outfit to all enlisted men serving in their second enlistment who failed to receive an outfit of the value authorized by law on their first enlistment, or who, having received such outfit, were required to refund its value on account of discharge prior to expiration of enlistment: *Provided further,* That the net cost to the Government of clothing outfits furnished any one enlisted man shall not exceed \$60. (Mar. 3, 1915, c. 83, 38 Stat. 932.)

#### MEDICINES AND MEDICAL ATTENDANCE; FUNERAL EXPENSES

**921. Medicines and medical attendance.**—Expenses incurred by any officer of the Navy for medicines and medical attendance shall not be allowed unless they were incurred when he was on duty, and the medicines could not have been obtained from naval supplies, or the attendance of a naval medical officer could not have been had. (R. S. § 1586.)

**922. Funeral expenses.**—No funeral expense of a naval officer who dies in the United States, nor expenses for travel to attend the funeral of an officer who dies there, shall be allowed. But when an officer on duty dies in a foreign country the expenses of his funeral, not exceeding his sea pay for one month, shall be defrayed by the Government, and paid by the paymaster upon whose books the name of such officer was borne for pay. (R. S. § 1587.)

#### ALLOTMENT OF PAY; ASSIGNMENT OF WAGES; DEPOSITS OF SAVINGS

**931. Allotment of pay by officers.**—The Secretary of the Navy is authorized to permit officers of the Navy and the Marine Corps to make allotments from their pay, under such regulations as he may prescribe, for the support of their families or relatives, for their own savings, or for other proper purposes, during such time as they may be absent at sea, on distant duty, or under other circumstances warranting such action. (June 10, 1896, c. 398, § 1, 29 Stat. 361.)

**932. Assignment of wages.**—Every assignment of wages due to persons enlisted in the naval service, and all powers of attorney, or other authority to draw, receipt for or transfer the same, shall be void, unless attested by the commanding officer and paymaster. The assignment of wages must specify the precise time when they commence. (R. S. § 1570.)

**933. Deposits of savings.**—Any enlisted man or appointed petty officer of the Navy may deposit his savings, in sums not less than \$5, with the paymaster upon whose books his account is borne; and he shall be furnished with a deposit book, in which the said paymaster shall note, over his signature, the amount, date, and place of such deposit. The money so deposited shall be accounted for in the same manner as other public funds, and shall pass to the credit of the appropriation for "Pay for the Navy," and shall not be subject to forfeiture by sentence of court-martial, but shall be forfeited by desertion, and shall not be permitted to be paid until final payment on discharge, or to the heirs or representatives of a deceased sailor, and that such deposit be exempt from liability for such sailor's debts: *Provided,* That the Government shall be liable for the amount deposited to the person so depositing the same. (Feb. 9, 1889, c. 119, § 1, 25 Stat. 657.)

934. Interest on deposits.—For any sums not less than \$5 so deposited for the period of six months or longer, the sailor, on his final discharge, shall be paid interest at the rate of 4 per centum per annum. (Feb 9, 1889, c. 119, § 2, 25 Stat. 658.)

935. Regulation of system of deposits.—The system of deposits established under the preceding sections shall be carried into execution under such regulations as may be established by the Secretary of the Navy. (Feb. 9, 1889, c. 119, § 3, 25 Stat. 658.)

#### SETTLEMENT OF ACCOUNTS OF DECEASED OFFICERS AND MEN; ALLOWANCES TO DEPENDENTS

941. Settlement of accounts of deceased officers and men.—In the settlement of the accounts of deceased officers or enlisted men of the Navy and Marine Corps, where the amount due the decedent's estate is less than \$500 and no demand is presented by a duly appointed legal representative of the estate, the accounting officers may allow the amount found due to the decedent's widow or legal heirs in the following order of precedence: First, to the widow; second, if the decedent left no widow, or widow be dead at time of settlement, then to the children or their issue, per stirpes; third, if no widow or descendants, then to the father and mother in equal parts, provided father has not abandoned the support of his family, in which case to the mother alone; fourth, if either the father or mother be dead, then to the one surviving; fifth, if there be no widow, child, father, or mother at the date of settlement, then to the brothers and sisters and children of deceased brothers and sisters, per stirpes: *Provided*, That this section shall not be so construed as to prevent payment from the amount due the decedent's estate of funeral expenses, provided a claim therefor is presented by the person or persons who actually paid the same before settlement by the accounting officers. (May 27, 1908, c. 200, § 1, 35 Stat. 373.)

942. Disposition of effects of decedents.—All moneys, articles of value, papers, keepsakes, and other similar effects belonging to deceased persons in the naval service, not claimed by their legal heirs or next of kin, shall be deposited in safe custody, and if any such moneys, articles of value, papers, keepsakes, or other similar effects so deposited have been, or shall hereafter be, unclaimed for a period of two years from the date of the death of such person, such articles and effects shall be sold and the proceeds thereof, together with the moneys above mentioned, shall be deposited in the Treasury to the credit of the Navy pension fund: *Provided*, That the Secretary of the Navy is authorized and directed to make diligent inquiry in every instance after the death of such person to ascertain the whereabouts of his heirs or next of kin, and to prescribe such regulations as may be necessary to carry out the foregoing provisions: *Provided further*, That claims may be presented hereunder at any time within five years after such moneys or proceeds have been so deposited in the Treasury, and, when supported by competent proof in any case after such deposit in the Treasury, shall be certified to Congress for consideration. (Mar. 29, 1918, c. 31, 40 Stat. 231.)

943. Allowance on death of officer or enlisted man or nurse, to widow, child, or dependent relative.—Immediately upon official notification of the death from wounds or disease, not the result of his or her own misconduct, of any officer, enlisted man, or nurse on the active list of the regular Navy or regular Marine Corps, or on the retired list when on active duty, the Paymaster General of the Navy shall cause to be paid to the widow, and if there be no widow to the child or children, and if there be no widow or child, to any other dependent relative of such officer, enlisted man, or nurse previously designated by him or her, an amount equal to six months' pay at the rate received by such officer, enlisted man, or nurse at the date of

his or her death. The Secretary of the Navy shall establish regulations requiring each officer and enlisted man or nurse having no wife or child to designate the proper dependent relative to whom this amount shall be paid in case of his or her death. Said amount shall be paid from funds appropriated for the pay of the Navy and pay of the Marine Corps, respectively: *Provided*, That nothing in this section or in other existing legislation shall be construed as making the provisions of this section applicable to officers, enlisted men, or nurses of any forces of the Navy of the United States other than those of the regular Navy and Marine Corps, and nothing in this section shall be construed to apply in commissioned grades to any officers except those holding permanent or probationary appointments in the regular Navy or Marine Corps: *Provided*, That the provisions of this section shall apply to the officers and enlisted men of the Coast Guard, and the Secretary of the Treasury will cause payment to be made accordingly. (June 4, 1920, c. 223, § 1, 41 Stat. 824.)

#### PAY AND EMOLUMENTS OF CREWS OF VESSELS WRECKED, LOST, OR TAKEN BY ENEMY

951. Pay and emoluments of crews of wrecked or lost vessels.—When the crew of any vessel of the United States are separated from such vessel, by means of her wreck, loss, or destruction, the pay and emoluments of such of the officers and men as shall appear to the Secretary of the Navy, by the sentence of a court-martial or court of inquiry, or by other satisfactory evidence, to have done their utmost to preserve her, and, after said wreck, loss, or destruction, to have behaved themselves agreeably to the discipline of the Navy, shall go on and be paid them until their discharge or death. (R. S. § 1574.)

952. Pay and emoluments of crews of vessels taken by enemy.—The pay and emoluments of the officers and men of any vessel of the United States taken by an enemy who shall appear, by the sentence of a court-martial or otherwise, to have done their utmost to preserve and defend their vessel, and, after the taking thereof, to have behaved themselves agreeably to the discipline of the Navy, shall go on and be paid to them until their exchange, discharge, or death. (R. S. § 1575.)

953. Fixing date of loss of missing vessel.—The General Accounting Office is authorized, under the direction of the Secretary of the Navy, in settling the accounts of seamen, and others, not officers, borne on the books of any vessel in the Navy which shall have been wrecked, or which shall have been unheard from so long that her wreck may be presumed, or which shall have been destroyed or lost with the rolls and papers necessary to a regular and exact settlement of such accounts, to fix a day when such wreck, destruction, or loss shall be deemed to have occurred. (R. S. § 286; June 10, 1921, §§ 301, 310, c. 18, 42 Stat. 23, 25.)

954. Accounts of petty officers on lost vessel.—The General Accounting Office is authorized, in settling the accounts of the petty officers, seamen, and others, not officers, on board of any vessel in the employ of the United States, which by any casualty, or in action with the enemy, has been or may be sunk or otherwise destroyed, together with the rolls and papers necessary to the exact ascertainment of the several accounts of the same at the date of such loss, to assume the last quarterly return of the paymaster of any such vessel as the basis for the computation of the subsequent credits to those on board, to the date of such loss, if there be no official evidence to the contrary. Where such quarterly return has, from any cause, not been made, the accounting officers are authorized to adjust and settle such accounts on principles of equity and justice. (R. S. § 287; June 10, 1921, §§ 301, 310, c. 18, 42 Stat. 23, 25.)

## ALLOWANCES TO PRISONERS

961. **General provisions.**—Persons confined in prisons in pursuance of the sentence of a naval court-martial shall, during such confinement, be allowed a reasonable sum, not to exceed \$3 per month, for necessary prison expenses, and shall upon discharge be furnished with suitable civilian clothing and paid a gratuity, not to exceed \$25: *Provided*, That such allowances shall be made in amounts to be fixed by, and in the discretion of, the Secretary of the Navy and only in cases where the prisoners so discharged would otherwise be unprovided with suitable clothing or without funds to meet their immediate needs. (Feb. 16, 1900, c. 131, § 13, 35 Stat. 622.)

962. **Transportation and clothing for discharged prisoners.**—The Secretary of the Navy is authorized to transport to their homes or places of enlistment, as he may designate, all discharged naval prisoners; the expense of such transportation shall be paid out of any money that may be to the credit of prisoners when discharged; where there is no such money, the expense shall be paid out of money received from fines and forfeitures imposed by naval courts-martial: *Provided further*, That the Secretary of the Navy is hereby authorized to furnish naval prisoners upon discharge suitable civilian clothing in case, and only where, said discharged prisoners would otherwise be unprovided with suitable clothing to meet their immediate needs. (Mar. 3, 1909, c. 255, 35 Stat. 750.)

## PAY AND ALLOWANCES OF MARINE CORPS

971. **Same as in Army.**—Except as otherwise provided by law the officers of the Marine Corps shall be entitled to receive the same pay and allowances, and the enlisted men shall be entitled to receive the same pay and bounty for reenlisting, as are or may be provided by or in pursuance of law for the officers and enlisted men of like grades in the Infantry of the Army. (R. S. § 1612.)

972. **Additional pay of members of Marine Band.**—The marines who compose the corps of musicians known as the "Marine Band" shall be entitled to receive at the rate of \$4 a month, each, in addition to their pay as noncommissioned officers, musicians, or privates of the Marine Corps, so long as they shall perform, by order of the Secretary of the Navy, or other superior officer, on the Capitol grounds or the President's grounds. (R. S. § 1613.)

973. **Additional pay of privates detailed as cooks.**—Privates of the Marine Corps regularly detailed and serving as cooks, shall receive, in addition to the pay otherwise allowed by law, the following: First-class cooks, \$10 per month; second-class cooks, \$8; third-class cooks, \$7; and fourth-class cooks, \$5. (Mar. 2, 1907, c. 2612, 34 Stat. 1200.)

974. **No forfeiture of pay and allowances on furlough.**—No part of the pay and allowances authorized for enlisted men detailed as clerks and messengers in the office of the Major General Commandant and the several staff offices shall be forfeited when granted furlough for not exceeding thirty days in each calendar year. (Mar. 4, 1917, c. 180, 39 Stat. 1191.)

975. **Deposits of savings by enlisted men.**—Enlisted men of the Marine Corps shall be entitled to deposit their savings with the United States, through any paymaster, in the same manner and under the same conditions as is now or may hereafter be provided for the enlisted men of the Navy: *Provided, however*, That the sums so deposited shall pass to the credit of the appropriation for pay of the Marine Corps. (June 29, 1906, c. 3590, 34 Stat. 579.)

976. **Rations or commutations to enlisted men on shore.**—Except when detached by the President of the United States for duty with the Army, enlisted men of the Marine Corps shall be entitled to the same allowance for rations as are

enlisted men of the Navy, under such rules and regulations as may be prescribed by the Secretary of the Navy. (July 11, 1919, c. 9, 41 Stat. 151.)

## REIMBURSEMENT OF OFFICERS AND MEN OF NAVY AND MARINE CORPS FOR PERSONAL PROPERTY LOST, DESTROYED, OR DAMAGED BY OPERATIONS OF WAR, ETC.

981. **Nature and extent of liability of Government; claims.**—The Paymaster General of the Navy is authorized and directed to reimburse such officers, enlisted men, and others in the naval service of the United States as may have suffered, or may hereafter suffer, loss or destruction of or damage to their personal property and effects in the naval service due to the operations of war or by shipwreck or other marine disaster when such loss, destruction, or damage was without fault or negligence on the part of the claimant, or where the private property so lost, destroyed, or damaged was shipped on board an unseaworthy vessel by order of an officer authorized to give such order or direct such shipment, or where it appears that the loss, destruction, or damage of or to the private property of the claimant was in consequence of his having given his attention to the saving of the lives of others or of property belonging to the United States which was in danger at the same time and under similar circumstances. And the liability of the Government under this section shall be limited to such articles of personal property as the Chief of the Bureau of Navigation of the Navy Department, with reference to the personnel of the Navy, or the Major General Commandant of the Marine Corps, with reference to the personnel of that corps, in his discretion, shall decide to be reasonable, useful, and proper for such officer, enlisted man, or other person while engaged in the public service in line of duty, and the certificate of said chief of bureau or Major General Commandant, as the case may be, shall be sufficient voucher for and shall be final as to all matters necessary to the establishment and payment or settlement of any claim filed hereunder; and the action of the said chief of bureau or Major General Commandant, as the case may be, upon all claims arising under this section shall be final, and no right to prosecute a claim or action in the Court of Claims or in any other court of the United States, or before any accounting officer of the United States, or elsewhere, except as herein provided, shall accrue to any person by virtue of this section: *Provided*, That the liability of the Government under this section shall be limited to such articles of personal property as are required by the United States Naval Regulations and in force at the time of loss or destruction for such officers, petty officers, seamen, or others engaged in the public service in the line of duty: *Provided further*, That with reference to claims of persons in the Marine Corps filed under the terms of this section the paymaster of the Marine Corps shall make the reimbursement in money, and the quartermaster of the Marine Corps shall make the reimbursement in kind herein provided for: *Provided further*, That all claims hereafter arising under this section shall be presented within two years from the occurrence of the loss, destruction, or damage: *And provided further*, That the term "in the naval service," as herein employed, shall be held to include service performed on board any vessel, whether of the Navy or not, provided the claimant is serving on such vessel pursuant to the orders of duly constituted naval authority: *And provided further*, That all claimants under this section shall be required to submit their claims in writing and under oath to the said Chief of the Bureau of Navigation or Major General Commandant, as the case may be: *And provided further*, That claims arising in the manner

indicated in this section and which have been settled under the terms of previously existing law shall be regarded as finally determined and no other or further right of recovery under the provisions hereof shall accrue to persons who have submitted such claims as aforesaid. (Oct. 6, 1917, c. 85, 40 Stat. 389.)

**982. Reimbursement in kind or in money; from what appropriations made.**—Reimbursement for loss, destruction, or damage sustained and determined as provided in the preceding section shall be made in kind for such articles as are customarily issued to the service and shall be made in money for other articles at the valuation thereof at the time of their loss, destruction, or damage: *Provided*, That in cases involving persons in the Navy reimbursement in money shall be made from the appropriation "Pay of the Navy," and reimbursement in kind shall be made from the appropriation "Outfits on first enlistment," and in cases involving persons in the Marine Corps reimbursement in money shall be made from the appropriation "Pay, Marine Corps," and reimbursement in kind shall be made from the appropriation "Clothing, Marine Corps," respectively, current at the time the claim covering such loss, damage, or destruction is paid. (Oct. 6, 1917, c. 85, 40 Stat. 389.)

#### RETIRED PAY

**991. General provisions.**—Except as otherwise provided by law, the pay of all officers of the Navy who have been retired on account of age or length of service, or on account of incapacity resulting from long and faithful service, from wounds or injuries received in the line of duty, or from sickness or exposure therein, shall, when not on active duty, be equal to 75 per centum of the pay provided by law for the grade or rank which they held, respectively, at the time of their retirement; and the pay of all other officers on the retired list shall, when not on active duty, be equal to one-half the pay provided by law for the grade or rank held by them, respectively, at the time of their retirement. (R. S. § 1538; May 30, 1908, c. 227, 35 Stat. 501; Aug. 29, 1916, c. 417, 39 Stat. 579.)

**992. Pay of captains, commanders, and lieutenant commanders ineligible for promotion on account of age.**—Captains, commanders, and lieutenant commanders who become ineligible for promotion on account of age shall be retired on a percentage of pay equal to 2½ per centum of their shore-duty pay for each year of service: *Provided further*, That the total retired pay shall not exceed 75 per centum of the shore-duty pay they were entitled to receive while on the active list. (Aug. 29, 1916, c. 417, 39 Stat. 579.)

**993. Pay not increased by promotion.**—Except as otherwise provided by law, no officer, heretofore or hereafter promoted upon the retired list, shall, in consequence of such promotion, be entitled to any increase of pay. (R. S. § 1591.)

**994. Active-duty pay, generally.**—(a) Officers on the retired list, when on active duty, shall receive the full pay of their respective grades. (R. S. § 1592.)

(b) Any naval officer on the retired list, employed on active duty in time of peace shall receive the pay and allowances of an officer of the active list of the same rank: *Provided*, That no such retired officer so employed on active duty shall receive, in time of peace, any greater pay and allowances than the pay and allowances which are now or may hereafter be provided by law for a lieutenant (senior grade) on the active list of like length of service: *And provided further*, That any such officer whose retired pay exceeds the highest pay and allowances of the grade of lieutenant (senior grade), shall, while so employed in time of peace, receive his retired pay only, in lieu of all other pay and allowances. (Aug. 22, 1912, c. 335, 37 Stat. 329.)

(c) Any retired officer of the naval service who shall be detailed on active duty shall, while so serving, receive the active duty pay and allowances of the grade, not above that of lieutenant commander in the Navy or of major in the Marine Corps, that he would have attained in due course of promotion if he had remained on the active list for a period beyond the date of his retirement equal to the total amount of time during which he has been detailed on active duty since his retirement: *Provided*, That nothing herein shall be construed to reduce the pay of any retired officer on active duty whose retired pay exceeds the active duty pay and allowances for the grade of lieutenant commander. (Aug. 29, 1916, c. 417, 39 Stat. 581.)

**995. Active-duty pay of retired chief warrant officers.**—Any retired chief warrant officer who has been on active duty since August 29, 1916, or who may hereafter perform active duty, and whose record is creditable, shall, during such time as he has been or may hereafter be, on active duty, and from the time his service on the active list after date of commission, plus his service on active duty while on the retired list, is equal to six years, receive the pay and allowances that are now, or may hereafter be, allowed a lieutenant (junior grade), United States Navy; and shall, during such time as he has been, or may hereafter be, on active duty, and from the time such total service is equal to twelve years, receive the pay and allowances that are now, or may hereafter be, allowed a lieutenant, United States Navy. (Apr. 10, 1918, c. 49, § 1, 40 Stat. 516.)

**996. Active-duty pay of retired warrant officers.**—Any retired warrant officer who has been on active duty since August 29, 1916, or who may hereafter perform active duty, and whose record is creditable, shall, during such time as he has been or may hereafter be on active duty, and from the time his service on the active list after date of warrant, plus his service on active duty while on the retired list, is equal to twelve years, receive the pay and allowances that are now or may hereafter be allowed a lieutenant (junior grade), United States Navy; and shall, during such time as he has been or may hereafter be on active duty, and from the time such total service is equal to eighteen years, receive the pay and allowances that are now or may hereafter be allowed a lieutenant, United States Navy. (Apr. 10, 1918, c. 49, § 2, 40 Stat. 516.)

**997. Credit for service in World War.**—All retired commissioned and warrant officers of the United States Navy and Marine Corps who served on active duty in the Navy and Marine Corps of the United States during the World War shall be credited with all active duty performed since retirement during the period from April 6, 1917, to March 3, 1921, in the computation of their longevity pay. (Mar. 4, 1925, c. 530, § 3, 43 Stat. 1271.)

**998. Officers retired on furlough pay.**—Officers placed on the retired list, on furlough pay, shall receive only one-half of the pay to which they would have been entitled if on leave of absence on the active list. (R. S. § 1593.)

**999. Pay of retired enlisted men of Navy or Marine Corps with service as commissioned officers.**—Retired enlisted men of the regular Navy and Marine Corps heretofore or hereafter retired who served honorably as commissioned officers, regular, temporary, or reserve, in the naval service at some time between April 6, 1917, and November 11, 1918, and who at the time of their retirement were members of the regular Navy or Marine Corps, shall be entitled to receive the pay of retired warrant officers of the Navy and Marine Corps, respectively: *Provided*, That such enlisted man retired prior to July 1, 1922, shall be entitled to receive the pay provided by law for retired warrant officers of equal length of service retired prior to that date, and that any such enlisted man



retired subsequent to June 30, 1922, shall be entitled to receive the pay provided by law for retired warrant officers of equal length of service retired subsequent to that date: *Provided further*, That nothing in this section shall operate to prevent any person from receiving the pay and allowances of his grade, rank, or rating on the retired list when such pay and allowances exceed the pay to which he would be entitled under this section by virtue of his commissioned service. (June 6, 1924, c. 275, § 8, 43 Stat. 472.)

#### Chapter 17.—DESERTIONS FROM NAVY OR MARINE CORPS.

Sec.

- 1011. Arrest of deserter by civil officers.
- 1012. Civil War cases; removal from record of charge of desertion.
- 1013. Return to duty or death after desertion.
- 1014. Reenlistment without discharge from previous enlistment.
- 1015. Certificate of discharge.
- 1016. Effect of removal of charge on right to pay and bounty.
- 1017. Removal from record of charge of desertion; World War.

**Section 1011. Arrest of deserter by civil officers.**—It shall be lawful for any civil officer having authority under the laws of the United States or of any State, Territory, or District to arrest offenders, to summarily arrest a deserter from the Navy or Marine Corps of the United States and deliver him into the custody of the naval authorities. (Feb. 16, 1909, c. 131, § 15, 35 Stat. 622.)

**1012. Civil War cases; removal from record of charge of desertion.**—The charge of desertion now standing on the rolls and records of the Navy or Marine Corps against any appointed or enlisted man of the Navy or Marine Corps who served in the Civil War may in the discretion of the Secretary of the Navy be removed in all cases where it shall be made to appear to the satisfaction of the Secretary of the Navy from such rolls and records or from other satisfactory evidence, that any such appointed or enlisted man served faithfully until the expiration of his term of enlistment, or until the 1st day of May anno Domini 1865, having previously served six months or more, or was prevented from completing his term of service by reason of wounds received or disease contracted in the line of duty, but who, by reason of absence from his command at the time he became entitled to his discharge, failed to be mustered out and to receive a discharge from the service: *Provided*, That no such appointed or enlisted man shall be relieved under this section who, not being sick or wounded, left his command, without proper authority, while the same was in presence of the enemy. (Aug. 14, 1888, c. 890, § 1, 25 Stat. 442; May 24, 1900, c. 550, § 1, 31 Stat. 183.)

**1013. Return to duty or death after desertion.**—The Secretary of the Navy is authorized to remove the charge of desertion standing on the rolls or records of the Navy or Marine Corps against any appointed or enlisted man of the Navy or Marine Corps who served in the Civil War, in all cases where it shall be made to appear, to the satisfaction of the Secretary of the Navy, from such rolls or from other satisfactory evidence, that such appointed or enlisted man charged with desertion or with absence without leave, after such charge of desertion or absence without leave, and within a reasonable time thereafter, voluntarily returned to and served in the line of his duty until he was mustered out of the service, and received a certificate of discharge therefrom, or, while so absent, and before the expiration of his term of enlistment, died from wounds, injury, or disease received or contracted in the service and in the line of duty. (Aug. 14, 1888, c. 890, § 2, 25 Stat. 442; May 24, 1900, c. 550, § 1, 31 Stat. 183.)

**1014. Reenlistment without discharge from previous enlistment.**—The charge of desertion now standing on the rolls or records of the Navy or Marine Corps against any ap-

pointed or enlisted man of the Navy or Marine Corps who served in the Civil War, by reason of his having enlisted at any station or on board of any vessel of the Navy without having first received a discharge from the station or vessel in which he had previously served, shall be removed in all cases wherein it shall be made to appear to the satisfaction of the Secretary of the Navy from such rolls and records, or from other satisfactory testimony, that such reenlistment was not made for the purpose of securing bounty or other gratuity that he would not have been entitled to, had he remained under his original term of enlistment: *Provided*, That no appointed or enlisted man shall be relieved under sections 1011 to 1016, inclusive, who, not being sick or wounded, left his command without proper authority while the same was in presence of the enemy, or who, at the time of leaving his command, was in arrest or under charges, or in whose case the period of absence from the service exceeded three months. (Aug. 14, 1888, c. 890, § 3, 25 Stat. 442; May 24, 1900, c. 550, § 1, 31 Stat. 183.)

**1015. Certificate of discharge.**—In all cases where the charge of desertion shall be removed under the provisions of the preceding sections from the record of any appointed or enlisted man of the Navy or Marine Corps who has not received a certificate of discharge it shall be the duty of the Secretary of the Navy to issue to such appointed or enlisted man, or in case of his death, to his heirs or legal representatives, a certificate of discharge. (Aug. 14, 1888, c. 890, § 4, 25 Stat. 443; May 24, 1900, c. 550, § 1, 31 Stat. 183.)

**1016. Effect of removal of charge on right to pay and bounty.**—When the charge of desertion shall be removed under the provisions of the preceding sections from the record of any appointed or enlisted man of the Navy or Marine Corps, such man, or, in case of his death, the heirs or legal representatives of such man, shall receive all pay and bounty which may have been withheld on account of such charge of desertion or absence without leave: *Provided, however*, That sections 1011 to 1016, inclusive, shall not be so construed as to give to any such man as may be entitled to relief under the provisions thereof, or, in case of his death, to the heirs or legal representatives of any such man, the right to receive pay and bounty for any period of time during which such man was absent from his command without leave of absence: *And provided further*, That no appointed or enlisted man, nor the heirs or legal representatives of any such man, who served in the Navy or Marine Corps a period of less than six months shall be entitled to the benefit of the provisions of the aforesaid sections. (Aug. 14, 1888, c. 890, § 5, 25 Stat. 443; May 24, 1900, c. 550, §§ 1, 2, 31 Stat. 183.)

**1017. Removal from record of charge of desertion; World War.**—In all cases where it shall be made to appear to the satisfaction of the President that a commissioned or warrant officer or an enlisted man with the charge of desertion now standing against him on the rolls and records of the Navy or Marine Corps has since such charge was entered served honorably in the World War, either in the military or naval forces of the Allies or in the Army, Navy, or Marine Corps or in other branches of the military service of the United States prior to November 11, 1918, the President is authorized, in his discretion, to cause an entry to be made on said rolls and records of the Navy or Marine Corps, relieving said officer or enlisted man of all the disabilities which he had heretofore or would hereafter suffer by virtue of said charge of desertion thus appearing against him; and upon such action being taken by the President, such officer or enlisted man shall be regarded as having been honorably discharged on the date the charge of desertion was entered against him: *Provided*, That nothing contained in this section shall operate to entitle any officer