Third assistant engineers, four hundred dollars;
Masters, four hundred dollars;
Passed midshipmen, three hundred and fifty dollars; and with four
rations per day to each of the above-named officers of the navy, to be
commuted at thirty cents, each ration, and without any other pay or allow-
ances. Captains, commanders, and lieutenants now on the retired list of
the navy shall receive the same compensation and no greater than is
allowed to retired officers of the same rank by the provisions of this act.
The next officer in rank shall be promoted to the place of the retired offi-
cer, according to the established rules of the service. And the same rule
of promotion shall be applied successively to the vacancies consequent
upon the retirement of an officer.

SEC. 23. And be it further enacted, That whenever any officer of the
navy, on being ordered to perform the duties appropriate to his commis-
sion, shall report himself unable to comply with such order, or whenever,
in the judgment of the President of the United States, an officer of the
navy shall be in any way incapacitated from performing the duties of his
office, the President, at his discretion, shall direct the Secretary of the
Navy to refer the case of such officer to a board of not more than nine,
and not less than five, commissioned officers, two-fifths of whom shall be
members of the medical bureau of the navy; the board, except those
taken from the medical bureau, to be composed, if possible, (as far as
may be,) of his seniors in rank. The determination of the board in each
case shall, with a record of its proceedings, be transmitted to the Secretary
of the Navy, to be laid before the President for his approval or disap-
proval, and orders in the case. The board, whenever it finds an officer
incapacitated for active service, will report whether, in its judgment, the
incapacity result from long and faithful service, from wounds or injury re-
ceived in the line of duty, from sickness or exposure therein, or from any
other incident of service; if so, and the President approve of such judg-
ment, the disabled officer shall thereupon be placed upon the list of re-
tired officers, according to the provisions of this act. But if such disability
or incompetency proceeded from other causes, and the President concur
in opinion with the board, the officer may be retired upon furlough pay,
or he shall be wholly retired from the service, with one year's pay, at the
discretion of the President; and in this last case his name shall be wholly
omitted from the navy register. The members of the board shall, in
every case, be sworn to an honest and impartial discharge of their duties,
and no officer of the navy shall be retired, either partially or wholly, from
the service without having had a fair and full hearing before the board,
if he shall demand it.

SEC. 24. And be it further enacted, That the retired officers shall be
entitled to wear the uniform of their respective grades, shall continue to
be borne upon the navy register, shall be subject to the rules and articles
governing the navy, and to trial by general court-martial.

SEC. 25. And be it further enacted, That retired officers of the army,
navy, and marine corps may be assigned to such duties as the President
can deem them capable of performing, and such as the exigencies of the
public service may require.

APPROVED, August 3, 1861.
intoxicating drink; and every person offending against the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, before a magistrate or court having criminal jurisdiction, shall be punished by a fine of twenty-five dollars or imprisonment for thirty days.

Approved, August 5, 1861.