

and treated as if junior in commission to the other district judges in such State, in all districts except the district of his residence at the time of his appointment.

"Upon the death, resignation, or retirement of any circuit or district judge, so entitled to resign, following the appointment of any additional judge as provided in this section, the vacancy caused by such death, resignation, or retirement of the said judge so entitled to resign shall not be filled."

SEC. 2. The Act of August 5, 1939 (53 Stat. 1204; U. S. C., title 28, sec. 375b), entitled "An Act to extend the privilege of retirement for disability to judges appointed to hold office during good behavior", is hereby amended by adding at the end thereof the following new section:

"SEC. 5. Any Justice of the Supreme Court who retires or who has retired under the provisions of this Act may nevertheless be called upon by the Chief Justice and be by him authorized to perform such judicial duties, in any judicial circuit, including those of a circuit justice in such circuit, as such retired Justice may be willing to undertake; a circuit or district judge so retiring or retired may nevertheless be called upon by the senior circuit judge or judicial council of that circuit and be by such senior circuit judge or such judicial council authorized to perform such judicial duties in such circuit as such retired judge may be willing to undertake, or he may be called upon by the Chief Justice and be by him authorized to perform such judicial duties in any other circuit as such retired judge may be willing to undertake; and any judge of any other court of the United States so retiring or retired may be called upon by the presiding judge or senior judge of such court and be by him authorized to perform such judicial duties in such court as he may be willing to undertake. Any such judge so retiring or retired may perform judicial duties only when so called and authorized as herein provided."

SEC. 3. For the purpose of this Act the District of Columbia shall be considered as a judicial circuit.

Approved May 11, 1944.

Vacancies.

28 U. S. C. §§ 375b-375e.

Performance of judicial duties after retirement for disability.

D. C. considered a judicial circuit.

[CHAPTER 193]

AN ACT

To amend part II of Veterans Regulation Numbered 1 (a).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Veterans Regulation Numbered 1 (a), part II, be amended by adding thereto a new paragraph, numbered paragraph IV, to read as follows:

"IV. For the purposes of paragraph I hereof, as amended, any person who, on or after August 27, 1940, and prior to termination of the present hostilities, has applied or shall hereafter apply for enlistment or enrollment in the active military or naval forces and who was or shall be provisionally accepted and directed or ordered to report to a place for final acceptance into such military or naval service, or who was or is selected for service and after reporting pursuant to the call of his local board and prior to rejection, or who after being called in the Federal service as a member of the National Guard but before being enrolled for the Federal service suffered or shall suffer an injury or a disease in line of duty and not the result of his own misconduct, will be considered to have incurred such disability in active military or naval service: *Provided*, That payments of pension under the terms of this paragraph shall not be effective prior to the date of enactment of this amendment."

Approved May 11, 1944.

May 11, 1944
(S. 698)

[Public Law 300]

38 U. S. C. note foll. § 724; Supp. III, note foll. § 732.

Disabilities suffered prior to induction, etc. Service connection.