

[CHAPTER 742]

AN ACT

To further amend section 13a of the National Defense Act so as to authorize officers detailed for training and duty as aircraft observers to be so rated, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1. The fourth and fifth provisos of section 13a of the National Defense Act as amended by section 2 of the Act of July 2, 1926 (44 Stat. 781), and the sixth proviso of said Act as amended by section 2 of the Act of July 2, 1926 (44 Stat. 781), and section 3 of the Act of June 16, 1936 (49 Stat. 1524), including the two provisos added by the Act last-mentioned, are further amended to read as follows: "*Provided further*, That in order to insure that the commissioned officers of the Air Corps shall be properly qualified flying officers and, for the purpose of giving officers of the Army an opportunity so to qualify, the Secretary of War is hereby authorized to detail officers to the Air Corps for training as flying officers, and such officers shall start flying training immediately upon being so detailed: *Provided further*, That nothing in this Act shall be construed to limit the number of officers who may be detailed to the Air Corps for training as flying officers: *Provided further*, That the limitation on the number of officers of the several branches of the Army who may be required by competent authority to participate regularly and frequently in aerial flights imposed by section 20 of the Act of June 10, 1922 (42 Stat. 632), as amended by section 6 of the Act of July 2, 1926 (44 Stat. 782), shall not apply to officers of the several branches of the Army detailed to the Air Corps for training and duty as aircraft observers or as other members of combat crews: *Provided further*, That flying units shall in all cases be commanded by flying officers who have received aeronautical ratings as pilots of service types of aircraft and who are commissioned in the Air Corps, or qualified permanent general officers of the line who have received aeronautical ratings as pilots of service types of aircraft: *Provided further*, That a flying officer is defined as one who has received an aeronautical rating as a pilot of service types of aircraft or one who has received an aeronautical rating as an aircraft observer or as any other member of a combat crew under such regulations as the Secretary of War may prescribe."

SEC. 2. Such laws and parts of laws as may be inconsistent with the foregoing are hereby repealed.

Approved, October 4, 1940.

October 4, 1940
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[Public, No. 795]

National Defense Act, amendment.
Army Air Corps.
10 U. S. C. §§ 291b, 291c; Supp. V, § 291c.

Provisos.
Detail of officers for flying training.

Number.

Participation in aerial flights.
Nonapplicability of designated limitation.

10 U. S. C. § 292.

Command of flying units.

Flying officer defined.

Repeal.

[CHAPTER 743]

AN ACT

To provide for the burial and funeral expenses of deceased veterans of the Regular Establishment who were discharged for disability incurred in the service in line of duty, or in receipt of pension for service connected disability.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of paragraph II of Veterans Regulations Numbered 9 (a), as amended, is hereby amended to read as follows:

"II. Where an honorably discharged veteran of any war, a veteran of any war in receipt of pension or compensation, a veteran discharged from the Army, Navy, Marine Corps, or Coast Guard for disability incurred in line of duty, or a veteran of the Army, Navy, Marine Corps, or Coast Guard in receipt of pension for service connected

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Deceased veterans.
Burial and funeral expenses.
Post, p. 1193.

disability dies after discharge, the Administrator, in his discretion and with due regard to the circumstances in each case, shall pay, for burial and funeral expenses and transportation of the body (including preparation of the body) to the place of burial, a sum not exceeding \$100 to cover such items and to be paid to such person or persons as may be prescribed by the Administrator."

Approved, October 5, 1940.

[CHAPTER 744]

AN ACT

Authorizing the Administrator of Veterans' Affairs to grant an easement in certain land to the city of Memphis, Tennessee, for street-widening purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs is authorized and directed to grant an easement to the city of Memphis, Tennessee, for street-widening purposes, in a strip of land along the western boundary of the Veterans' Administration facility in such city, described as follows:

Part of the homestead lot and the north part of lot 50 of the Barnett Graham subdivision, beginning at the point in the south property line of Lamar Avenue, ten feet east of the east property line of Dudley Street, running thence south and parallel to the proposed new center line of Dudley Street, as widened, a distance of six hundred and twenty-two and one-tenth feet; thence continuing southwardly a distance of one hundred and fifty-one and one-tenth feet to a point, which said point is seven and two-tenths feet east of the old east property line of Dudley Street; thence west a distance of seven and two-tenths feet to a point in the old east property line of Dudley Street; thence north with the old east property line of Dudley Street, a distance of seven hundred and seventy-three and one-tenth feet to a point in the south property line of Lamar Avenue; thence east with the south property line of Lamar Avenue a distance of ten feet to the point of beginning, containing an area of approximately eight thousand three hundred and fifty-three square feet, and being all of that property lying within the described limits twenty-eight and five-tenths feet east of the new center line of Dudley Street.

SEC. 2. Such grant shall be conditioned upon the approval by the proper authorities of the city of Memphis of an agreement to (a) construct a concrete wall with stone coping along the facility limits on Dudley Street in accordance with specifications to be furnished by the Administrator of Veterans' Affairs so as to provide a wall identical with the one now existing along the Lamar Boulevard, (b) move the existing chain link fence and gates, and place the fence on top of the wall, (c) move and replant such trees and shrubs as have to be removed from their present locations, replace such trees as will not stand moving and replace any such trees and shrubs that do not survive, and (d) restore all areas within the reservation affected by this work as nearly as possible to their original condition including any necessary sodding; all without expense to the United States. The easement authorized by this Act shall contain the express reservation that should the land cease to be used for street-widening purposes then all right, title, and interest therein shall immediately revert to and revest in the United States.

Approved, October 5, 1940.

October 5, 1940
[H. R. 9889]

[Public, No. 797]

Memphis, Ten-
nessee.
Easement for street-
widening purposes.

Description.

Conditions.

Reservation.