

materials and of fuel and all other things necessary for creating and extending the production of airplanes, aircraft, engines, and all appurtenances.

And also for creating, maintaining, and operating at technical schools and colleges courses of instruction for aviation students, including cost of instruction, equipment, and supplies necessary for instruction and subsistence of students while receiving such instruction.

Aviation technical instruction at schools, etc.

*Provided*, That, subject to the approval of the Secretary of War, motor-propelled vehicles, airplanes, engines, parts thereof, and appurtenances may be exchanged in part payment for new equipment of the same or similar character to be used for the same purpose as those proposed to be exchanged.

Exchanges for new equipment.

*Provided further*, That during the present emergency, officers and enlisted men of foreign armies attached to the Aviation Section of the Signal Corps as instructors or inspectors when traveling in the United States on official business pertaining to the Aviation Section of the Signal Corps shall be authorized, from funds appropriated by this Act, the same mileage and transportation allowances as are authorized for officers or enlisted men of the Regular Army.

Travel expenses of foreign instructors, etc., in the United States.

SEC. 10. That for the purpose of carrying this Act into effect the sum of \$640,000,000 is hereby appropriated out of any funds in the Treasury not otherwise appropriated, to be available until June thirtieth, nineteen hundred and eighteen.

Appropriation.

Approved, July 24, 1917.

**CHAP. 41.**—An Act Granting the consent of Congress to the Sebastian bridge district to construct a bridge across the Arkansas River, at the foot of Garrison Avenue, at Fort Smith, Arkansas.

July 27, 1917.  
[S. 2666.]

[Public, No. 30.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the consent of Congress is hereby granted to the Sebastian bridge district, created by the Legislature of Arkansas, its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Arkansas River at a point suitable to the interests of navigation, at the foot of Garrison Avenue, at Fort Smith, in the county of Sebastian, in the State of Arkansas, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March twenty-third, nineteen hundred and six.

Arkansas River. Sebastian bridge district may bridge, Fort Smith, Ark.  
*Post*, p. 1051.

Construction.  
Vol. 34, p. 84.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, July 27, 1917.

**CHAP. 42.**—An Act Authorizing the President to take possession, on behalf of the United States, for use as sites for permanent aviation stations for the Army and Navy and for aviation school purposes, of the whole of North Island in the harbor of San Diego, California, and for other purposes.

July 27, 1917.  
[H. R. 492.]

[Public, No. 31.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President be, and he is hereby, authorized to cause possession to be taken forthwith, on behalf of the United States, for use for national defense and in connection therewith as sites for permanent aviation stations for the Army and Navy and for aviation school purposes, of the whole of North Island, in the harbor of San Diego, California, and the provisions of section three hundred and fifty-five, Revised Statutes, shall not apply to the expenditure of any appropriations for improvements thereon for aviation purposes.

North Island, San Diego Harbor, Cal. Possession authorized of, for aviation purposes.

Vesting of title waived.  
R. S., sec. 355, p. 60.

Condemnation pro-  
ceedings.

Appeal.

Payment of deter-  
mined value into court.

Distribution to own-  
ers.

Appropriation.

The Attorney General or the claimants to the said North Island are authorized to make application for the determination and appraisal of any rights private parties may have in the said island over and beyond any rights thereto in the United States to the District Court of the United States for the Southern District of California; the proceedings to be prosecuted in accordance with the laws of the State of California relating to the condemnation of property for public use. Either party may take an appeal from the judgment of such court direct to the Supreme Court of the United States within ninety days after such judgment is rendered. Upon the final ascertainment of the value of any right, title, or interest adjudged to be in any private claimants to the said island there shall be paid into court the value of the same as so determined, together with interest thereon at the rate of six per centum per annum from date possession thereof was taken as herein authorized; and thereupon the United States shall be vested with title to said lands. The amount so paid shall be distributed by order of the court to the owner or owners of such right, title, or interest in said island as their respective interests may be determined by the court. The amount necessary to pay the awards in favor of private claimants is hereby appropriated, out of any money in the Treasury not otherwise specifically appropriated. to be disbursed under orders of the Secretary of War.

Approved, July 27, 1917.

July 28, 1917.  
[S. 1811.]

[Public, No. 32.]

**CHAP. 44.**—An Act For the relief of homestead entrymen or settlers who enter the military or naval service of the United States in time of war.

Public lands.  
Service in time of war  
accepted for homestead  
residence, etc., require-  
ments.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any settler upon the public lands of the United States; or any entryman whose application has been allowed; or any person who has made application for public lands which thereafter may be allowed under the homestead laws, who, after such settlement, entry, or application, enlists or is actually engaged in the military or naval service of the United States as a private soldier, officer, seaman, marine, national guardsman, or member of any other organization for offense or defense authorized by Congress during any war in which the United States may be engaged, shall, in the administration of the homestead laws, have his services therein construed to be equivalent to all intents and purposes to residence and cultivation for the same length of time upon the tract entered or settled upon; and hereafter no contest shall be initiated on the ground of abandonment, nor allegation of abandonment sustained against any such settler, entryman, or person unless it shall be alleged in the preliminary affidavit or affidavits of contest and proved at the hearing in cases hereinafter initiated that the alleged absence from the land was not due to his employment in such military or naval service; that if he shall be discharged on account of wounds received or disability incurred in the line of duty, then the term of his enlistment shall be deducted from the required length of residence, without reference to the time of actual service: *Provided,* That no patent shall issue to any homestead settler who has not resided upon, improved, and cultivated his homestead for a period of at least one year.

Enlistment term  
equivalent to residence  
if discharged for dis-  
ability.

*Provido.*  
Residence before  
issue of patent.

Heirs of settlers, etc.,  
dying in service to re-  
ceive patent.

**SEC. 2.** That any settler upon the public lands of the United States; or any entryman whose application has been allowed; or any person who has made application for public lands which thereafter may be allowed under the homestead laws, who dies while actually engaged in the military or naval service of the United States as a private soldier, officer, seaman, marine, national guardsman, or member of any other organization for offense or defense authorized by Congress