

[CHAPTER 88]

AN ACT

To amend an Act of September 27, 1944, relating to credit for military or naval service in connection with certain homestead entries.

May 31, 1947
[H. R. 603]
[Public Law 82]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act entitled "An Act to allow credit in connection with certain homestead entries for military or naval service rendered during World War II", approved September 27, 1944 (58 Stat. 747), as amended June 25, 1946 (60 Stat. 308, 43 U. S. C., sec. 279), is amended to read as follows:

World War II veterans.
Homestead entries.

Credit for period of service.

Service-incurred disability.

Service credit of spouse.

Residence requirement.

Age.

58 Stat. 748.

Availability of credit to surviving spouse or minor children.

Entry.

"That any person who has served in the military or naval forces of the United States for a period of at least ninety days at any time on or after September 16, 1940, and prior to the termination of the present war, and is honorably discharged from the military or naval forces and who makes homestead entry subsequent to such discharge shall have the period of such service, not exceeding two years, construed to be equivalent to residence and cultivation upon the land for the same length of time. Credit shall be allowed for two years' service to any person who has served in the military or naval forces of the United States during the above period (1) if such person is discharged on account of wounds received or disability incurred during the above period in the line of duty, or (2) if such person is regularly discharged and subsequently is furnished hospitalization or is awarded compensation by the Government on account of such wounds or disability. When the homestead entry is made by a husband or wife whose spouse is entitled to any service credit under this section, such credit shall, with the consent of the spouse entitled thereto, be available to the husband or wife making the entry, in addition to any service credit to which he or she individually may be entitled under this section. No patent shall issue to any such person who has not resided upon his homestead and otherwise complied with the provisions of the homestead laws for a period of at least one year: *Provided*, That no person who has served in the military or naval forces of the United States for a period of at least ninety days at any time on or after September 16, 1940, and prior to the termination of the present war, and is honorably discharged shall be disqualified from making homestead entry or from any other benefits of this Act merely by reason of not having reached the age of twenty-one years."

SEC. 2. Section 2 of such Act (43 U. S. C., sec. 280) is amended to read as follows:

"SEC. 2. The surviving spouse or the minor children, as hereinafter provided, shall be entitled (1) in case of the death of any person as the result of wounds received or disability incurred in line of duty while serving in the military or naval forces of the United States during the period specified in section 1, to credit for two years' residence and cultivation on a homestead entry, or (2) in the case of the death of any person after performing service that would be a basis for credit under section 1 of this Act, to the amount of credit which would have been allowable to such person. The credit provided by this section shall be available to the surviving spouse, or, in the case of the death or marriage of the surviving spouse, to the minor children by a guardian duly appointed and officially accredited at the Department of the Interior. An entry made by such surviving spouse or guardian shall be subject to the provisions contained in section 1 respecting compliance with the provisions of the homestead laws for a period of at least one year."

58 Stat. 748.

SEC. 3. Section 4 of such Act (43 U. S. C., sec. 282) is amended to read as follows:

Preferred right of application.

“SEC. 4. For the period of ten years following September 27, 1944, on the revocation of any order of withdrawal or the filing of a plat of survey or resurvey opening lands to entry, the order or notice taking such action shall provide for a period of not less than ninety days before the date on which it otherwise becomes effective, in which persons of the classes entitled to credit for service, under the provisions of this Act, shall have a preferred right of application under the homestead or desert land laws, or the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended (59 Stat. 467, 43 U. S. C., sec. 682a), subject to the requirements of applicable law, except as against the prior existing valid settlement rights and preference rights conferred by existing laws or as against equitable claims subject to allowance and confirmation, and except where a revocation of an order of withdrawal is made in order to assist in a Federal land program other than one authorized by the homestead or desert land laws or by said Small Tract Act of June 1, 1938, as amended. During the same period if the Secretary of the Interior shall, without a prior petition therefor, classify any land as being suitable for disposition under the said Small Tract Act of June 1, 1938, as amended, the order of classification shall provide a similar preference right of application under that Act, subject to the exceptions contained in this section.”

Approved May 31, 1947.

[CHAPTER 89]

AN ACT

May 31, 1947
[H. R. 1844]

[Public Law 83]

To authorize the Administrator of Veterans' Affairs to grant easements in lands belonging to the United States under his supervision and control, and for other purposes.

Administrator of Veterans' Affairs.
Authority to grant easements, etc.

Use by public utilities.

State jurisdiction over areas.

Reversion of title, etc.

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, whenever he deems it advantageous to the Government and upon such terms and conditions as he deems advisable, is hereby authorized on behalf of the United States to grant to any State, or any agency or political subdivision thereof, or to any public-service company, easements in and rights-of-way over lands belonging to the United States which are under his supervision and control. Such grant may include the use of such easements or rights-of-way by public utilities to the extent authorized and under the conditions imposed by the laws of such State relating to use of public highways. Such partial, concurrent, or exclusive jurisdiction over the areas covered by such easements or rights-of-way, as the Administrator of Veterans' Affairs deems necessary or desirable, is hereby ceded to the State in which the land is located. The Administrator of Veterans' Affairs is hereby authorized to accept or secure on behalf of the United States from the State in which is situated any land conveyed in exchange for any such easement or right-of-way, such jurisdiction as he may deem necessary or desirable over the land so acquired. Any such easement or right-of-way shall be terminated upon abandonment or nonuse of the same and all right, title, and interest in the land covered thereby shall thereupon revert to the United States or its assignee.

Approved May 31, 1947.