

CHAP. 39.—Joint Resolution To relieve the owners of mining claims who have been mustered into the military or naval service of the United States as officers or enlisted men from performing assessment work during the term of such service.

July 17, 1917.
[S. J. Res. 33.]
[Pub. Res., No. 10.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of section twenty-three hundred and twenty-four of the Revised Statutes of the United States, which require that on each mining claim located after the tenth day of May, eighteen hundred and seventy-two, and until patent has been issued therefor, not less than \$100 worth of labor shall be performed or improvements made during each year, shall not apply to claims or parts of claims owned by officers or enlisted men who have been or may, during the present war with Germany, be mustered into the military or naval service of the United States to serve during their enlistment in the war with Germany, so that no mining claim or any part thereof owned by such person which has been regularly located and recorded shall be subject to forfeiture for nonperformance of the annual assessments during the period of his service or until six months after such owner is mustered out of the service or until six months after his death in the service: *Provided,* That the claimant of any mining location, in order to obtain the benefits of this resolution, shall file, or cause to be filed, a notice in the office where the location notice or certificate is recorded, before the expiration of the assessment year during which he is so mustered, giving notice of his muster into the service of the United States and of his desire to hold said mining claim under this resolution.

Public lands.
Mine assessment work not required of claimants in service during present war.
R. S., sec. 2324, p. 426.
Post, pp. 343, 448.

Proviso.
Notice of muster, etc., to be filed.

Approved, July 17, 1917.

CHAP. 40.—An Act To authorize the President to increase temporarily the Signal Corps of the Army and to purchase, manufacture, maintain, repair, and operate airships, and to make appropriations therefor, and for other purposes.

July 24, 1917.
[H. R. 5326.]
[Public, No. 29.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for and during the existing emergency, the President be, and is hereby, authorized to increase the present authorized commissioned and enlisted strength of the Signal Corps of the Army, including the Aviation Section thereof.

Army.
Signal Corps and Aviation Section increased temporarily.

SEC. 2. That to provide the additional commissioned personnel required by this Act the President is authorized to promote, appoint, detail, or attach as temporary officers in the Signal Corps, including the Aviation Section thereof, officers of the Regular Army, National Army, or National Guard, or the Officers' Reserve Corps, or to appoint temporarily enlisted men of the Regular Army, enlisted men of the Enlisted Reserve Corps, or persons from civil life: *Provided,* That no person shall be so promoted, appointed, detailed, or attached until he shall have been found physically, mentally, and morally qualified under regulations prescribed by the Secretary of War: *Provided further,* That officers with rank not above colonel shall be appointed and commissioned by the President alone, irrespective of the rank or grade held by them on the date of the passage of this Act, and that officers above the grade of colonel shall be appointed by the President, by and with the advice and consent of the Senate, irrespective of the rank or grade held by them on the date of the passage of this Act.

Additional commissioned personnel authorized.

Provisos.
Qualifications.

Appointments by President alone.

By President and Senate.

Additional enlisted men by enlistment or draft.

Provisos.

SEC. 3. That to provide the additional enlisted men required by this Act, the President is authorized to raise and maintain, by voluntary enlistment or by draft, such number of enlisted men as he may deem necessary and to embody them into organizations hereinafter provided for in section four: *Provided,* That the draft

Age limit for drafted men.

Chauffeur grades created.

Pay, rank, etc.

Tactical units to be organized.

Headquarters and headquarters detachments for units.

General officers to be appointed for staff and other duty.

Temporary appointments to fill created vacancies.

Ante, pp. 81, 82.

Aviators and aeronauts rated.

Certificates of qualification.

Examinations.

Service requirements for ratings.

Exceptions in time of war.

Provisos. Increased rank, for aeronauts.

herein provided for shall not apply to any person under the age of twenty-one years or to any person above the age of thirty-one years: *Provided further*, That the grades of chauffeur, first class, and chauffeur are hereby created in the Signal Corps. The pay and allowances of a chauffeur, first class, shall be the same as a sergeant, first class, in the Signal Corps. Pay and allowances of a chauffeur shall be the same as a sergeant in the Signal Corps. All chauffeurs while serving as such shall rank with corporals of the Signal Corps and shall be subject to promotion and reduction to any other grade now authorized in the Signal Corps.

SEC. 4. That the President is hereby authorized to appropriately officer and organize the personnel of the Signal Corps into such number of divisions, brigades, regiments, wings, squadrons, battalions, companies, and flights as may be necessary, and to increase or decrease the number of organizations prescribed for the divisions, brigades, regiments, wings, squadrons, battalions, companies, and flights, and to prescribe such new and different organizations and personnel for divisions, brigades, regiments, wings, squadrons, battalions, companies, and flights as the efficiency of the service may require.

The President is further authorized to organize such headquarters and headquarters detachments for divisions, brigades, regiments, wings, squadrons, battalions, companies, and flights as may be necessary, and to prescribe new and different organizations for such headquarters and headquarters detachments whenever the efficiency of the service may require.

SEC. 5. That the President, by and with the advice and consent of the Senate, is authorized to appoint for the period of the existing emergency such general officers of appropriate grades as may be necessary for staff duty and for duty with such brigades and divisions of the troops of the Signal Corps, including the Aviation Section thereof, as may be organized by the President.

Vacancies in all grades of the Regular Army, National Army, or National Guard resulting from the temporary appointment of officers thereof to higher grades shall be filled or vacated as provided for in sections eight and nine of the Act authorizing the President to increase temporarily the military establishment of the United States and approved May eighteen, nineteen hundred and seventeen.

SEC. 6. That officers detailed in or attached to the aviation section of the Signal Corps may, when qualified therefor, be rated as junior military aviators, military aviators, junior military aeronauts, and military aeronauts, but no person shall be so rated until there shall have been issued to him a certificate to the effect that he is qualified for the rating, and no certificate shall be issued to any person until an examining board, which shall be composed of two officers of experience of the aviation section of the Signal Corps and one medical officer, shall have examined him under general regulations to be prescribed by the Secretary of War and published to the Army by the War Department, and shall have reported him to be qualified for the rating. No person shall receive the rating of military aviator or military aeronaut until he shall have served creditably for three years as an aviation officer with the rating of a junior military aviator or the rating of a junior military aeronaut, except that in time of war any officer or enlisted man who specially distinguishes himself in active service may, upon recommendation of the Chief Signal Officer of the Army, be rated as a junior military aviator, military aviator, junior military aeronaut, or military aeronaut without regard to examination or to length of service: *Provided*, That junior military aeronauts and military aeronauts shall be entitled to the same increase in rank and pay as are now authorized by law for junior military aviators and military aviators, respectively: *Provided*

further, That any officer attached to the aviation section of the Signal Corps for any military duty requiring him to make regular and frequent flights shall receive an increase of twenty-five per centum of the pay of his grade and length of service under his commission.

Extra pay for flight duty.

SEC. 7. That the Secretary of War is authorized from time to time to cause such number of the enlisted men of the aviation section of the Signal Corps above the grade of corporal as he may deem necessary to be rated as aviation mechanics or as balloon mechanics in the manner now prescribed by law: *Provided*, That balloon mechanics shall receive the same increase of pay as now prescribed by law for aviation mechanics.

Enlisted mechanics rated.

Proviso, Balloon mechanics.

SEC. 8. That all officers and enlisted men of the temporary forces of the Signal Corps, including the aviation section thereof provided for herein, shall be in all respects on the same footing as to pay, allowances, and pensions as permanent officers and enlisted men of corresponding grades and length of service in the Regular Army.

All pay, etc., to correspond with Army.

Provided, That nothing in this Act shall operate to decrease the present authorized strength of the Regular Army or National Army heretofore authorized by law.

Proviso, Authorized Army strength not decreased.

SEC. 9. That during the existing emergency authority is hereby given to the President, through the War Department, for the purchase, manufacture, maintenance, repair, and operation of airships and other aerial machines, including instruments and appliances of every sort and description necessary for the operation, construction, or equipment of all types of aircraft, including guns, armament, ammunition, and all necessary spare parts and equipment connected therewith; and all necessary buildings for equipment and personnel in the Aviation Section and for the purchase, maintenance, repair, and operation, through the Chief Signal Officer of the Army, of all motor-propelled passenger and equipment carrying vehicles which may be necessary for the Aviation Section of the Signal Corps.

Airships, aerial machines, etc.
Authority for emergency purchase, manufacture, etc.
Ante, p. 43.

Buildings, motor vehicles, etc.

And during the existing emergency authority is hereby further given for the establishment, equipment, maintenance, and operation of aviation stations, including (a) the acquisition of land, or any interest in land, with any buildings and improvements thereon, by purchase, lease, donation, condemnation, or otherwise: *Provided*, That by order of the President any unappropriated or reserved public lands may be reserved from entry, designated, and used for such aviation stations; (b) the improvement of such land by clearing, grading, draining, seeding, and otherwise making the same suitable for the purpose intended; (c) the construction, maintenance, and repair of permanent or temporary barracks, quarters, hospitals, mess houses, administration, instructional and recreational buildings, hangars, magazines, storehouses, sheds, shops, garages, boathouses, docks, radio stations, laboratories, observation stations, and all other buildings and structures necessary or advisable; (d) procuring and introducing water, electric light and power, telephones, telegraph, and sewerage to aviation stations and buildings and structures thereon by the extension of existing systems or the creation of new systems and their maintenance, operation and repair, installation of plumbing, electric fixtures and telephones, fire apparatus and fire alarm systems and the maintenance, operation and repair of all such systems, fixtures and apparatus; (e) construction and repair of roads, walks, sea walls, breakwaters, bridges and wharves, dredging, filling and otherwise improving land and water sites; (f) purchase of stoves and other cooking and heating apparatus, kitchen and tableware, and furniture and equipment for kitchens, mess halls, offices, quarters, barracks, hospitals, and other buildings, screens, lockers, refrigerators, and all other necessary equipment; (g) purchase of gasoline, oil, fuel, and all supplies of every kind and character necessary or advis-

Aviation stations.

Sites, buildings, etc.

Proviso, Use of public lands.

Improvement of sites.

Buildings, structures, etc.

Water, light, plumbing, etc.

Roads, wharves, etc.

Subsistence equipments.

Fuel supplies.

- Construction machinery, tools, etc. able for maintenance and operation of aviation stations, including electric light and power, telephones, water supply and sewerage service; (h) purchase and manufacture and installation of all kinds of machinery, tools, material, supplies, and equipment for construction, maintenance, and repair of aircraft, buildings, and improvements at aviation stations, or property or appliances used in connection with aviation.
- Special clothing, etc. And also for the purchase or manufacture and issue of special clothing, wearing apparel, and similar equipment for aviation purposes.
- Travel of persons at home and abroad. And also for the actual and necessary expenses of officers, enlisted men, and civilian employees of the Army and authorized agents sent on special duty at home and abroad for aviation purposes, including observation and investigation of foreign military operations and organization, manufacture of aircraft, and engines, also special courses in foreign aviation schools and manufacturing establishments, to be paid upon certificates of the Secretary of War certifying that the expenditures were necessary for military purposes.
- Vocational training. And also for vocational training, including employment of necessary civilian instructors in important trades related to aviation, purchase of tools, equipment, materials, and machines required for such training, purchase of textbooks, books of reference, scientific and professional papers, periodicals and magazines, and instruments and material for theoretical and practical instruction at aviation schools and stations, and all other means to carry out the provisions of section twenty-seven of the Act approved June third, nineteen hundred and sixteen, authorizing, in addition to the military training of soldiers while in active service, means for securing educational and vocational training of a character to increase their military efficiency and enable them to return to civil life better equipped for industrial, commercial, and general business occupations.
- Vol. 39, p. 186. And also to pay and otherwise provide for such officers of the Officers' Reserve Corps of the Aviation Section of the Signal Corps and such enlisted men of the Enlisted Reserve Corps of the Aviation Section of the Signal Corps as may be called into active service and such enlisted men as may be enlisted in the Aviation Section of the Signal Corps under the provisions of section two of the Act to increase temporarily the military establishment of the United States, approved May eighteenth, nineteen hundred and seventeen, or any subsequent Act temporarily increasing the commissioned or enlisted personnel of the Aviation Section of the Signal Corps and such civilian employees as may be necessary, for the payment of their traveling and other necessary expenses when not traveling with troops: *Provided*, That hereafter all reserve officers and enlisted men of the Aviation Section of the Signal Corps shall be paid by Quartermaster Corps disbursing officers from funds transferred to their credit from Signal Corps appropriations.
- Aviation Section. Pay of reserve officers, enlisted men, etc., called into service. And also for the payment of all expenses in connection with the development of suitable types of aviation engines, airplanes, and other aircraft appurtenances, including the cost of sample engines, airplanes, and appurtenances, cost of any patents and other rights therein, and costs of investigation, experimentation, and research in respect thereto.
- Air, p. 77. And also for the payment of all expenses in connection with the creation, expansion, acquisition, and development of plants, factories, and establishments for the manufacture of airplanes, aircraft, engines, and appurtenances, including provision for the purchase or lease of land with the buildings thereon, construction of permanent or temporary buildings for all purposes, purchase of machinery, tools, and employment of operatives, together with all administrative expenses necessary, the purchase and supply of raw and semifinished
- Proviso. Pay accounts.
- Development of engines, airplanes, etc.
- Maintenance of manufacturing plants, etc.

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.

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.

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.

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.

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.

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.

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

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.

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.

Aviation technical instruction at schools, etc.

Exchanges for new equipment.

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

Appropriation.

July 27, 1917.
[S. 2666.]

[Public, No. 30.]

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

Construction.
Vol. 34, p. 84.

Amendment.

July 27, 1917.
[H. R. 4692.]

[Public, No. 31.]

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

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