

II, and is honorably discharged, and who makes homestead entry subsequent to such discharge, shall have the period of his military or naval 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' military or naval service (1) if such person is discharged on account of wounds received or disability incurred 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. 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.

Service-incurred wounds or disability.

Residence requirement, etc.

Extension of benefits to unmarried widows, etc.

SEC. 2. In the case of any person who would be entitled to a homestead under the provisions of this Act, his widow, if unmarried, or, in the case of her death or marriage, then his minor orphan children by a guardian duly appointed and officially accredited at the Department of the Interior, shall be entitled to all the benefits enumerated in section 1 of this Act. An entry made by such widow or guardian shall be subject to the provisions contained in said section 1, respecting compliance with the provisions of the homestead laws for a period of at least one year.

Patents to minor orphan children.

SEC. 3. Where a person entitled to the benefits of section 1 or 2 of this Act makes homestead entry and dies before completing title, leaving a minor orphan child, or minor orphan children, patent shall issue to such minor or minors upon proof showing such facts, without any proof as to compliance with the law in the matter of residence, cultivation, or improvements.

Order of revocation. Preferred right of application.

SEC. 4. For the period of ten years following the date of the enactment of this Act, on the revocation of any order of withdrawal, the order of revocation 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 military or naval service, under the provisions of this Act, shall have a preferred right of application under the homestead or desert land laws, or the Act of June 1, 1938 (52 Stat. 609; 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 equitable claims subject to allowance and confirmation.

Rules and regulations.

SEC. 5. The Secretary of the Interior is hereby authorized to make such rules and regulations as may be necessary to carry the provisions of this Act into full force and effect.

Approved September 27, 1944.

[CHAPTER 422]

AN ACT

September 27, 1944  
[H. R. 5144]  
[Public Law 435]

To authorize the city of Ketchikan, Alaska, to issue bonds in a sum not to exceed \$150,000 for the purpose of constructing and acquiring additions and betterments to and extensions of the electric light and power system of said city, and to provide for the payment thereof, and for other purposes.

Ketchikan, Alaska. Bond issue for public utility improvements.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the city of Ketchikan, Alaska, is hereby authorized to issue and sell its bonds in an amount not to exceed \$150,000, for the purpose of constructing and acquiring additions and betterments to and extensions of the electric light and power system of said city.

Special election.

SEC. 2. Before said bonds shall be issued, a special election shall be ordered by the common council of the said city of Ketchikan, Alaska, at which election the question of whether such bonds shall

be issued, in an amount not exceeding the amount above specified and for the purposes hereinbefore set forth, shall be submitted to the qualified electors of said city of Ketchikan, Alaska, whose names appear on the last assessment roll of said city for purposes of municipal taxation. The form of the ballot shall be such that the electors may vote for or against the issuance of bonds for the purposes herein specified up to the amount herein authorized. Not less than twenty days' notice of such election shall be given to the public by posting notices of same in three conspicuous places within the corporate limits of the city of Ketchikan, Alaska, one of which shall be on a bulletin board in the public lobby of the United States post office at Ketchikan, Alaska. The election notice shall specifically state the amount of bonds proposed to be issued and the purposes for which said bonds are to be issued. The registration for such election, the manner of conducting the same and the canvass of the returns of such election shall be, as nearly as practicable, in accordance with the requirements of law for general and special elections in said municipality; and such bonds shall be issued for the purposes herein authorized only upon the condition that not less than 51 per centum of the votes cast at such election shall be in favor of the issuance of said bonds for such purposes.

SEC. 3. Said bonds shall be authorized by resolution or ordinance of the common council, and may be issued in coupon form, and may be made registerable as to principal alone or as to both principal and interest under such terms and conditions as the common council shall provide. Said bonds shall be dated and shall be in such denomination or denominations, and may mature in such amounts and at such time or times not exceeding twenty years from the date thereof, and may be payable at such place or places as the common council shall determine. The said bonds may be made redeemable either with or without premium, in the discretion of the common council, and may be sold at public or private sale. Said bonds shall be signed by the mayor and clerk of the city of Ketchikan, Alaska, and shall have impressed thereon the official seal of said municipality, and the coupons annexed to said bonds representing interest to be payable thereon shall be signed with the facsimile signatures of said mayor and clerk. Said bonds shall bear such rate or rates of interest as the common council shall determine. In the event any of the officers whose signatures or countersignatures appear on said bonds or coupons shall cease to be such officers before delivery of such bonds, said signatures or countersignatures, whether manual or facsimile, shall nevertheless be valid and sufficient for all purposes the same as if said officers had remained in office until such delivery.

SEC. 4. The bonds herein authorized shall be general obligations of the city of Ketchikan, Alaska, and the mayor and Common Council of the City of Ketchikan are hereby authorized and directed, in the resolution or ordinance authorizing the issuance of said bonds, to pledge to the payment of the principal and interest thereof the full faith and credit of the city of Ketchikan and to obligate the city, if necessary, to levy taxes upon all the taxable property within said city for the payment of the principal and interest of said bonds as and when the same become due and payable, without limitations as to rate or amount.

SEC. 5. In addition to the pledge of the taxing power contained in section 4 hereof, the mayor and common council are hereby authorized and directed, in the resolution or ordinance authorizing said bonds, to pledge to the payment of said bonds and the interest thereon the revenues, income, receipts, and profits derived by the city of Ketchikan from the ownership, management, and operation

Form of ballot.

Notice.

Registration.

Percentage of favorable votes required.

Authorization, form, maturity.

Signatures.

Interest rate.

Nature of obligations; payment.

Additional pledges.

by said city of the electric light, power, water, and telephone properties and all additions and betterments to and extensions thereof remaining after the payment of the expenses of operation and maintenance of said properties and reserve for depreciation and prior pledges of such revenues. In the resolution or ordinance authorizing the issuance of said bonds the Common Council of the City of Ketchikan is authorized to covenant with the holders from time to time of the bonds issued hereunder as follows:

Efficient and economical operation.

(a) That the city will maintain and operate the public utility properties of the city hereinbefore mentioned in an efficient and economical manner;

Charges for commodities, services, or facilities.

(b) That the city will fix, establish, and collect rates, tolls, rents, and other charges for all commodities, services, or facilities sold, furnished, or supplied by the city through said public utility properties adequate to provide revenues, income, receipts, and profits sufficient to pay the expenses of operation and maintenance of said properties and to provide reasonable reserves for depreciation, and for the payment of the principal of and interest on all bonds payable from such revenues and all other charges and expenses whatsoever which may be or become a charge on such revenues;

Separate fund.

(c) That the city will keep all the revenues, income, receipts, and profits arising from the ownership, management and operation of the public utility properties by the city in a fund separate and apart from all other funds of the city to be collected, held, and disbursed in such manner as the city may provide in the resolution or ordinance authorizing the issuance of bonds hereunder;

Restriction on further issuance of bonds, etc.

(d) That the city will not thereafter issue any bonds, notes, or other evidences of indebtedness payable from such revenues, except within such limitations as may be prescribed in such resolution or ordinance;

(e) That the city will not thereafter issue any bonds, notes, or other evidences of indebtedness payable from such revenues which would be a prior lien or charge upon said revenues over the bonds issued pursuant to such resolution or ordinance;

Special fund for renewals and replacements.

(f) That the city will provide a special fund for renewals and replacements to the public utility properties into which fund the city shall pay sums from the revenues of said properties in such amounts as may be specified in said resolution or ordinance;

Disposition of properties.

(g) That the city will not sell, lease, or otherwise dispose of any or all of said public utility properties without then or theretofore making provision for the payment of the bonds authorized by this Act;

Books and accounts.

(h) That the city will keep books and accounts with respect to the operation of said public utility properties in such manner as prescribed by the Federal Power Commission governing municipal licenses and provide for the periodic audit of such books by certified public accountants who shall report on such operations;

Examination of properties.

(i) That the city will provide for periodic examinations of the public utility properties of the city by an engineer or firm of engineers who shall report thereon at such times as shall be prescribed in said resolution or ordinance; and

Security of payments.

(j) That the city will do and perform such other acts and take such other proceedings as may be necessary to more fully secure the payment of the bonds authorized by said resolution or ordinance as shall be deemed advisable by the common council.

Proceeds from bond sales.

Sec. 6. Upon the sale of any bonds authorized by this Act, the city of Ketchikan shall provide for the payment of the proceeds thereof into a special fund which shall be used for no other purpose except as specified in this Act, and said bonds may be sold all at once or from time to time as the Common Council of the City of Ketchikan shall direct.

SEC. 7. The city of Ketchikan is hereby authorized to enter into contracts with the United States of America or any agency or instrumentality thereof to obtain a grant or loan of money funds to aid in the construction of the additions and betterments to and extensions of the public utility properties of the city authorized by this Act, and is further authorized to expend surplus moneys in the treasury of the city from the revenues of said public utility properties for such purpose.

Contracts to obtain Federal aid.

SEC. 8. The provisions of this Act and of any resolution or ordinance authorizing the issuance of bonds hereunder shall constitute a contract with the holders of such bonds from time to time, and the provisions thereof and hereof shall be enforceable by any owner or holder of said bonds by mandamus or by any other appropriate suit, action or proceeding at law or in equity in any court of competent jurisdiction.

Contract with bond-holders; enforcement.

SEC. 9. This Act shall be complete authority for the issuance of the bonds herein authorized, and shall be liberally construed to accomplish its purposes. Any restrictions, limitations, or regulations relative to the issuance of bonds by the city of Ketchikan, Alaska, contained in any other Act shall not apply to bonds issued under this Act, and any Act inconsistent herewith shall be deemed modified to conform with the provisions of this Act for the purposes of this Act only.

Authority for issuance of bonds.

Approved September 27, 1944.

[CHAPTER 423]

AN ACT

To amend section 22 of the Interstate Commerce Act by authorizing common carriers to grant reduced fares to personnel of armed services.

September 27, 1944  
[H. R. 5196]  
[Public Law 436]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 22 of the Interstate Commerce Act is hereby amended by inserting after "homes;" at the end of the second clause thereof the following clause: "nothing in this part shall be construed to prohibit any common carrier from establishing by publication and filing in the manner prescribed in section 6 reduced fares for application to the transportation of (a) personnel of United States armed services or of foreign armed services, when such persons are traveling at their own expense, in uniform of those services, and while on official leave, furlough, or pass; or (b) persons discharged, retired, or released from United States armed services within thirty days prior to the commencement of such transportation and traveling at their own expense to their homes or other prospective places of abode;"

24 Stat. 387.  
49 U. S. C. § 22.

Reduced fares for personnel of armed services.  
24 Stat. 380.  
49 U. S. C. § 6.

Approved September 27, 1944.

[CHAPTER 424]

JOINT RESOLUTION

To provide for the reappointment of Harvey N. Davis and Arthur H. Compton as members of the Board of Regents of the Smithsonian Institution.

September 27, 1944  
[H. J. Res. 268]  
[Public Law 437]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the vacancies in the Board of Regents of the Smithsonian Institution, of the class other than Members of the Congress, which will occur by the expiration of the terms of Harvey N. Davis, of New Jersey, and Arthur H. Compton, of Illinois, on June 14 and 19, 1944, respectively, be filled by the reappointment of the present incumbents for the statutory term of six years.

Board of Regents of Smithsonian Institution.

Approved September 27, 1944.