

that where the land embraced in the additional entry is located not exceeding twenty miles from the land embraced in the original entry no residence shall be required on such additional entry if the entryman is residing on his former entry: *And provided further*, That this section shall not be construed as affecting any rights as to location of soldiers' additional homesteads under section twenty-three hundred and six of the Revised Statutes."

Approved, July 3, 1916.

Residence on former entry accepted.

Soldiers' entry rights not affected.

R. S., sec. 2306, p. 422.

CHAP. 225.—An Act Making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

July 6, 1916.
[H. R. 14303.]

[Public, No. 143.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to be immediately available and to continue available until expended, namely:

Fortifications appropriations.

FORTIFICATIONS AND OTHER WORKS OF DEFENSE.

ENGINEER DEPARTMENT.

Engineer Department.

For construction of guns and mortar batteries, \$2,300,000.

For modernizing older emplacements, \$78,500.

Gun and mortar batteries.
Modernizing emplacements.
Fire-control stations.

For construction of fire-control stations and accessories, including purchase of lands and rights of way, purchase and installation of necessary lines and means of electrical communication, including telephones, dial and other telegraphs, wiring and all special instruments, apparatus, and materials, coast signal apparatus, and salaries of electrical experts, engineers, and other necessary employees connected with the use of coast artillery; purchase, manufacture, and test of range finders and other instruments for fire control at the fortifications, and the machinery necessary for their manufacture at the arsenals, \$600,000.

Range finders.

For maintenance of Coast Artillery war-instruction matériel at Coast Artillery posts, including necessary material and labor therefor and for extra-duty pay to soldiers necessarily employed for periods not less than ten days, \$1,250.

Coast Artillery war instruction.

For purchase and installation of searchlights for the defenses of our most important harbors, \$226,700.

Searchlights.

For protection, preservation, and repair of fortifications for which there may be no special appropriation available, and of structures for the torpedo defense of the United States and for maintaining channels for access to torpedo wharves, \$250,000.

Preservation, etc.

For the repair and restoration of sea walls, retaining walls, and fill, and for urgent repairs to batteries, in the defenses of Galveston, Texas, \$303,500.

Galveston, Tex.
Repairing defenses, etc.

For preparation of plans for fortifications and other works of defense, \$25,000.

Plans.

For maintenance and repair of searchlights and electric light and power equipment for seacoast fortifications, and for tools, electrical and other supplies, and appliances to be used in their operation, including the purchase of reserve lights, \$40,000.

Supplies, etc., electric plants.

For construction of mining casemates, cable galleries, torpedo storehouses, cable tanks, and other structures necessary for the operation, preservation, and care of submarine mines and their accessories, and for providing channels for access to torpedo wharves, \$200,000.

Torpedo structures, etc.

Sites.

For procurement or reclamation of land, or right pertaining thereto, needed for site, location, construction, or prosecution of works for fortifications and coast defenses, \$1,400,000.

Signal Service.

UNDER THE CHIEF SIGNAL OFFICER.

Fire-control installations.

For operation and maintenance of fire-control installations at seacoast defenses, \$130,000.

Armament.

ARMAMENT OF FORTIFICATIONS.

Mountain, field, and siege cannon.

For purchase, manufacture, and test of mountain, field, and siege cannon, including their carriages, sights, implements, equipments, and the machinery necessary for their manufacture at the arsenals, \$2,821,500: *Provided*, That the Chief of Ordnance, United States Army, is authorized to enter into contracts or otherwise incur obligations for the purposes above mentioned not to exceed \$3,500,000 in addition to the appropriations herein and heretofore made.

Proviso.
Contracts authorized.

Ammunition.

For purchase, manufacture, and test of ammunition for mountain, field, and siege cannon, including the necessary experiments in connection therewith and the machinery necessary for its manufacture at the arsenals, \$6,000,000: *Provided*, That the Chief of Ordnance, United States Army, is authorized to enter into contracts or otherwise incur obligations for the purposes above mentioned not to exceed \$3,000,000 in addition to the appropriations herein and heretofore made.

Proviso.
Contracts authorized.

Seacoast cannon.

For purchase, manufacture, and test of seacoast cannon for coast defense, including their carriages, sights, implements, equipments, and the machinery necessary for their manufacture at the arsenals, \$1,284,000: *Provided*, That the Chief of Ordnance, United States Army, is authorized to enter into contracts or otherwise incur obligations for the purposes above mentioned not to exceed \$3,000,000 in addition to the appropriations herein and heretofore made.

Proviso.
Contracts authorized.Ammunition.
Modernizing projectiles.

For purchase, manufacture, and test of ammunition for seacoast cannon, and for modernizing projectiles on hand, including the necessary experiments in connection therewith, and the machinery necessary for its manufacture at the arsenals, \$3,000,000: *Provided*, That the Chief of Ordnance, United States Army, is authorized to enter into contracts or otherwise incur obligations for the purposes above mentioned not to exceed \$3,500,000 in addition to the appropriations herein and heretofore made.

Proviso.
Contracts authorized.Ammunition, etc.,
for practice.

For purchase, manufacture, and test of ammunition, subcaliber guns, and other accessories for seacoast artillery practice, including the machinery necessary for their manufacture at the arsenals, \$490,000.

Altering mobile artillery, etc.

For alteration and maintenance of the mobile artillery, including the purchase and manufacture of machinery, tools, and materials necessary for the work and the expenses of the mechanics engaged thereon, \$100,000.

Ammunition, etc.,
for field, etc., artillery practice.

For purchase, manufacture, and test of ammunition, subcaliber guns, and other accessories for mountain, field, and siege artillery practice, including the machinery necessary for their manufacture at the arsenals, \$480,000.

Altering to rapid-fire field batteries.

For alteration of three and two-tenths inch batteries to rapid-fire field batteries, including sights, implements, equipments, and the materials and machinery necessary for alteration and manufacture at the arsenals, \$195,000.

Altering, etc., seacoast artillery.

For alteration and maintenance of seacoast artillery, including the purchase and manufacture of machinery, tools, materials necessary for the work, and expenses of civilian mechanics and extra-duty pay of enlisted men engaged thereon, \$400,000.

PROVING GROUND, SANDY HOOK, NEW JERSEY.

Sandy Hook proving ground.

For current expenses of the ordnance proving ground, Sandy Hook, New Jersey, comprising the maintenance of rail and water transportation, repairs, alterations, accessories, and service of employees incidental to testing and proving ordnance matériel, hire of assistants for the Ordnance Board, purchase of instruments and articles required for testing and experimental work, building and repairing butts and targets, clearing and grading ranges, \$75,000.

Expenses, etc.

For necessary expenses of officers not occupying public quarters at the proving ground, while employed on ordnance duty thereat, at the rate of \$2.50 per diem while so employed and the compensation of draftsmen while employed in the Army Ordnance Bureau on ordnance construction, \$35,000.

Temporary employments.

SUBMARINE MINES.

Submarine mines.

For purchase, manufacture, and test of submarine-mine matériel, and other accessories for submarine-mine practice, including the machinery necessary for their manufacture at the arsenals, \$26,000.

Accessories for practice.

For purchase of submarine mines and necessary appliances to operate them for closing the channels leading to our principal seaports, and for continuing torpedo experiments, \$123,000.

Purchases.

For maintenance of submarine-mine matériel within the limits of continental United States, purchase of necessary machinery, tools, and implements for the repair shop of the torpedo depot at Fort Totten, New York, extra-duty pay to soldiers necessarily employed for periods not less than ten days in connection with the issue, receipt, and care of submarine-mining matériel at the torpedo depot, and for torpedo-depot administration, \$68,000.

Maintenance of supplies, etc.

Fort Totten torpedo depot.

For the procurement of the exclusive rights of John Hays Hammond, junior, and the Radio Engineering Company of New York (Incorporated) to their discoveries and inventions in the art of control by radiodynamic energy of the movement of water-borne carriers of high explosives, in accordance with a proposal heretofore made by said John Hays Hammond, junior, and said company, known as proposal Z, \$750,000: *Provided*, That said sum shall not be paid except upon the approval by the President of a report of a board of three Army and three Navy officers, to be appointed by him, which report shall be favorable to the acquisition of such rights, such report to be made after a demonstration of the application of the said system to the control of torpedoes; and, to provide for such demonstration, \$30,000 of the sum so appropriated, or so much thereof as may be necessary for the purpose, may be applied to the expense of conducting the same exclusive of the services of said Hammond, which services shall be rendered free of charge, the amount so applied and which shall be immediately available, in the event of the purchase of such rights, to be considered as part payment of the purchase price of the same.

Radiodynamic torpedo control.

Purchase of exclusive rights of John Hays Hammond, jr., etc.

Proviso. Subject to investigation and report.

Allowance for tests.

The Commissioner of Patents is authorized and directed, in the event of the entrance by the Government into a contract with the above-mentioned parties for the purchase of such rights in all instances where it would grant patents to John Hays Hammond, junior, or to the Radio Engineering Company upon request of the United States to issue said patents to the United States, and, in the event of said contract being made, the Commissioner of Patents is further authorized and directed to keep applications for such patents in the secret archives of the Patent Office, not open to disclosure even in cases of interferences.

Issue of patents to United States.

Applications to remain secret.

Radiodynamic torpedo unit.
Proviso.
 Condition.

For procurement and installation of one radiodynamic torpedo unit, \$417,000: *Provided*, That no part of said sum shall be so expended unless the United States shall first acquire as heretofore provided the rights of the said John Hays Hammond, junior, and the Radio Engineering Company of New York.

Patents.
 R. S., sec. 4894, p. 947, amended.

Section forty-eight hundred and ninety-four of the Revised Statutes is amended so as to read as follows:

Applications to be completed in one year.
 Vol. 29, p. 693, amended.
 Post, p. 516.

"SEC. 4894. All applications for patents shall be completed and prepared for examination within one year after the filing of the application, and in default thereof, or upon failure of the applicant to prosecute the same within one year after any action therein, of which notice shall have been given to the applicant, they shall be regarded as abandoned by the parties thereto, unless it be shown to the satisfaction of the Commissioner of Patents that such delay was unavoidable: *Provided, however*, That no application shall be regarded as abandoned which has become the property of the Government of the United States and with respect to which the head of any department of the Government shall have certified to the Commissioner of Patents, within a period of three years, that the invention disclosed therein is important to the armament or defense of the United States: *Provided further*, That within ninety days, and not less than thirty days, before the expiration of any such three-year period the Commissioner of Patents shall, in writing, notify the head of the department interested in any pending application for patent, of the approaching expiration of the three-year period within which any application for patent shall have been pending."

Proviso.
 Extended to three years if owned by Government.

Notice of expiration.

Insular possessions.

FORTIFICATIONS IN INSULAR POSSESSIONS.

Engineer Department.

ENGINEER DEPARTMENT.

Preservation, repair, etc.

For protection, preservation, and repair of fortifications, including structures erected for torpedo defense, and for maintaining channels for access to torpedo wharves, at the following localities:

Hawaiian Islands.

In the Hawaiian Islands, \$5,000;

Philippine Islands.

In the Philippine Islands, \$10,000;

In all, \$15,000.

Land defenses.
 Hawaiian Islands.

For land defenses in the Hawaiian Islands, including the procurement and installation of searchlights and the acquisition of land and rights of way, \$169,000.

Philippine Islands.

For land defenses in the Philippine Islands, including the procurement and installation of searchlights and the acquisition of land and rights of way, \$170,000.

Electric plants.

For maintenance and repair of searchlights and electric light and power equipment for seacoast fortifications and for tools, electrical and other supplies, and appliances to be used in their operation at the following localities:

Hawaiian Islands.

In the Hawaiian Islands, \$2,500;

Philippine Islands.

In the Philippine Islands, \$3,500;

In all, \$6,000.

Submarine mines, etc.
 Hawaiian Islands.

For construction of mining casements, cable galleries, torpedo storehouses, cable tanks, and other structures necessary for the operation, preservation, and care of submarine mines and their accessories and for providing channels for access to torpedo wharves at the defenses of the Hawaiian Islands, \$10,000.

Automobile for Hawaiian Islands.

For maintenance, repair, and operation of one automobile, expenditures are authorized to an amount not exceeding \$600 during the fiscal year nineteen hundred and seventeen, from funds available from appropriations for fortifications in the Hawaiian Islands.

UNDER THE CHIEF SIGNAL OFFICER.

Signal service.

For operation and maintenance of fire-control installations at seacoast defenses, \$10,000.

Fire-control installations.

ORDNANCE DEPARTMENT.

Armament.

For purchase, manufacture, and test of seacoast cannon for coast defenses, including their carriages, sights, implements, equipments, and the machinery necessary for their manufacture at the arsenals, \$240,000: *Provided*, That the Chief of Ordnance, United States Army, is authorized to enter into contracts and otherwise incur obligations for the purposes above mentioned not to exceed \$300,000 in addition to the appropriation herein made.

Seacoast cannon.

Proviso.
Contracts authorized.

For purchase, manufacture, and test of ammunition for seacoast cannon, including the necessary experiments in connection therewith, and the machinery necessary for its manufacture at the arsenals, \$1,700,000: *Provided*, That the Chief of Ordnance, United States Army, is authorized to enter into contracts and otherwise incur obligations for the purposes above mentioned not to exceed \$500,000 in addition to the appropriations herein and heretofore made.

Ammunition.

Proviso.
Contracts authorized.

For alteration and maintenance of the seacoast artillery, including the purchase and manufacture of machinery, tools, and materials necessary for the work, and expenses of the civilian mechanics and extra-duty pay of enlisted men engaged thereon, \$60,000.

Altering, etc., seacoast artillery.

For purchase of submarine mines and necessary appliances to operate them for closing the channels leading to seaports in the insular possessions, \$138,100.

Submarine mines.

For maintenance of the submarine-mine material in the insular possessions, \$10,000.

Supplies.

UNDER THE CHIEF OF COAST ARTILLERY.

Chief of Coast Artillery.

For construction of fire-control stations and accessories, including purchase of lands and rights of way, purchase and installation of necessary lines and means of electrical communication, including telephones, dial and other telegraphs, wiring and all special instruments, apparatus and materials, coast signal apparatus, and salaries of electrical experts, engineers, and other necessary employees connected with the use of coast artillery; purchase, manufacture, and test of range finders and other instruments for fire control at the fortifications, and the machinery necessary for their manufacture at the arsenals, \$100,000: *Provided*, That hereafter the Chief of Coast Artillery shall have the rank, pay, and allowances of a major general.

Fire-control stations

Range finders.

Proviso.
Chief made major general.
Ante, p. 180.

UNDER THE SECRETARY OF WAR.

Secretary of War.

For the procurement of such gauges, dies, jigs, tools, fixtures and other special aids and appliances, including such plans, specifications, and detailed drawings as may be necessary for the immediate manufacture of arms, ammunition, and other material necessary for the defense of the country, and for plans for and the installation of such material in private plants in the United States under such contract and agreement as may be made by the Secretary of War, \$1,000,000: *Provided*, That not exceeding twenty-five per centum of said sum may be used in obtaining from plants so equipped such war material as may be desired: *Provided further*, That not exceeding \$50,000 worth of such material may be purchased from any one person or company, and in making such expenditures the laws prescribing competition in the procurement of supplies by purchase shall not govern.

Tools, etc., for immediate manufacture of arms, etc.
Ante, p. 215.

Provisos.
Purchases from private plants.
Amount without competition.

Board of Ordnance
and Fortification.

BOARD OF ORDNANCE AND FORTIFICATION.

- Purchases, tests, etc. For all needful and proper purchases, experiments, and tests to ascertain, with a view to their utilization by the Government, the most effective guns, small arms, cartridges, projectiles, fuses, explosives, torpedoes, armor plates, and other implements and engines of war, and to purchase or cause to be manufactured, under authority of the Secretary of War, such guns, carriages, armor plates, and other war material as may, in the judgment of the board, be necessary in the proper discharge of the duty devolved upon it by the Act approved September twenty-second, eighteen hundred and eighty-eight; salary of the civilian member of the board and for his necessary traveling expenses when traveling on duty as provided by the Act of February twenty-fourth, eighteen hundred and ninety-one; necessary expenses of the board, including rent of offices in the District of Columbia at not exceeding \$900 per annum, and a per diem allowance to each officer detailed to serve thereon, when employed on duty away from his permanent station, of \$2.50; test of experimental guns, carriages, and other devices procured in accordance with the recommendation of the board, \$300,000, the expenditure of which shall be made by the several bureaus of the War Department heretofore having jurisdiction of the same, or by the board itself, as the Secretary of War may direct: *Provided*, That before any money shall be expended in the construction or test of any gun, gun carriage, ammunition, or implements under the supervision of the said board, the board shall be satisfied, after due inquiry, that the Government of the United States has a lawful right to use the inventions involved in the construction of such gun, gun carriage, ammunition, or implements, or that the construction or test is made at the request of a person either having such lawful right or authorized to convey the same to the Government.
- Vol. 25, p. 489.
- Civilian member.
- Vol. 26, p. 769.
- Per diem, etc.
- Tests, etc.
- Proviso.*
Right to use invention.
- Material to be of American manufacture.
- SEC. 2. That all material purchased under the provisions of this Act shall be of American manufacture, except in cases when, in the judgment of the Secretary of War, it is to the manifest interest of the United States to make purchases in limited quantities abroad, which material shall be admitted free of duty.
- Ordnance Office. Additional draftsmen, etc.
- SEC. 3. The services of skilled draftsmen, and such other services as the Secretary of War may deem necessary, may be employed in the office of the Chief of Ordnance in Washington, District of Columbia, to carry into effect the appropriations made in this Act for the armament of fortifications, to be paid for from such appropriations to the extent of \$50,000 in addition to the sum of \$140,000 authorized to be expended for similar purposes in the office of the Chief of Ordnance by the Act making appropriations for the legislative, executive, and judicial expenses of the Government, approved May tenth, nineteen hundred and sixteen: *Provided*, That the Secretary of War shall report in his annual estimates to Congress the number of persons employed, their duties, and the amount paid to each.
- Ante*, p. 91.
- Proviso.*
Report, etc.
- Rent, etc., for drafting force.
- SEC. 4. Not to exceed \$10,000 of the funds appropriated by this Act for the armament of fortifications may be expended for the rental of suitable space in Washington, District of Columbia, or for the alteration or repair of any available building owned by the Government, for the use of the drafting force of the office of the Chief of Ordnance engaged in the design of matériel appropriated for in this and other Acts.
- Price for powder limited.
- SEC. 5. That appropriations in this Act shall not be expended for powder other than small-arms powder at a price in excess of 53 cents a pound.
- Limit on price for purchases.
- SEC. 6. That except as expressly otherwise authorized herein no part of the sums appropriated by this Act shall be expended in the

purchase from private manufacturers of any material at a price in excess of twenty-five per centum more than the cost of manufacturing such material by the Government, or, where such material is not or has not been manufactured by the Government, at a price in excess of twenty-five per centum more than the estimated cost of manufacture by the Government: *Provided, however,* That whenever in the opinion of the President an emergency exists affecting the general welfare of the United States, he may waive the limitations contained in this section.

Proviso.
Waived in emergencies.

SEC. 7. That expenditures for carrying out the provisions of this Act shall not be made in such manner as to prevent the operation of the Government arsenals at their most economical rate of production, except when a special exigency requires the operation of a portion of an arsenal's equipment at a different rate: *Provided,* That no part of the appropriations made in this Act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch or other time-measuring device a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this Act be available to pay any premium or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant.

Operations of arsenals not to be restricted.

Proviso.
No pay to officers using time-measuring device on work of employees.

Cash rewards, etc., restricted.

Approved, July 6, 1916.

CHAP. 226.—An Act To authorize the Secretary of the Interior to furnish hot water from the hot springs on the Hot Springs Reservation for drinking and bathing purposes free of cost to the Leo N. Levi Memorial Hospital Association.

July 8, 1916.
[S. 1338.]

[Public, No. 144.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to supply a sufficient quantity of hot water for five tubs from the hot springs on the Hot Springs Reservation for drinking and bathing purposes to the Leo N. Levi Memorial Hospital Association without cost or charge therefor, under such rules and regulations as he may prescribe: *Provided,* That said hospital association shall, upon request of the superintendent of the Hot Springs Reservation or his duly authorized representative, immediately after being notified, send an ambulance or conveyance for and accept and treat without charge therefor any emergency patients so sent to the hospital for treatment.

Hot Springs Reservation, Ark.
Leo N. Levi Hospital to be furnished water free.

Proviso.
Treatment of emergency patients.

Approved, July 8, 1916.

CHAP. 227.—An Act To authorize the Secretary of the Interior to acquire certain right of way near Engle, New Mexico.

July 8, 1916.
[S. 1343.]

[Public, No. 145.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and is hereby, authorized to receive on behalf of the United States from the Atchison, Topeka and Santa Fe Railway Company the conveyance of so much of said company's pipeline right of way from a point near Engle, New Mexico, to the Rio Grande River as will be flooded by the Elephant Butte Dam; and as the consideration for such conveyance the railway company shall be permitted to take from the water impounded above Elephant Butte

Elephant Butte irrigation dam, N. Mex.
Acceptance of lands to be flooded by.

Water to grantor.