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or lessees of the sole right to enter upon, occupy, and use any part or all of such land reasonably necessary for the accomplishment of all purposes connected with the development, generation, transmission, or utilization of hydroelectric power or energy.

Homestead fees, etc., to be returned.

SEC. 7. That the Secretary of the Interior is hereby authorized and directed to certify to the Secretary of the Treasury the amounts paid as fees, commissions, and purchase moneys by the persons hereinafter named, in connection with homestead entries at the United States land office at Glasgow, Montana, in the year 1917, as follows:

Nick Sitch.

Serial number naught forty-four thousand four hundred and twenty-seven, Nick Sitch, west half southeast quarter, section twenty-seven, and west half of northeast quarter, section thirty-four, township twenty-nine north, range forty-one east.

Billie H. Evashanks.

Serial number naught forty-four thousand five hundred and twenty-one, Billie H. Evashanks, south half southeast quarter, northwest quarter southeast quarter, section thirty-four, township twenty-nine north, range forty-one east, and west half east half, northeast quarter southwest quarter, section one, township twenty-eight north, range forty-one east.

Payment. *Ante*, p. 1433.

That upon receipt of the certificate from the Secretary of the Interior as provided in section 1 of this Act the Secretary of the Treasury is hereby authorized and directed to make payment of the amounts so certified out of any moneys not otherwise appropriated, and issue his warrant in settlement thereof.

Approved, March 4, 1921.

March 4, 1921.
[S. 3750.]
[Public, No. 391.]

CHAP. 163.—An Act To amend an Act entitled "An Act to provide for the settlement of the claims of officers and enlisted men of the Army for the loss of private property destroyed in the military service of the United States," approved March 3, 1885, as amended by the Act of July 9, 1918, and for other purposes.

Loss of property in military service. Vol. 40, p. 880, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the settlement of the claims of officers and enlisted men of the Army for loss of private property destroyed in the military service of the United States," approved March 3, 1885, as amended by the Act of July 9, 1918 (Fortieth Statutes, page 880), be, and the same hereby is, amended to read as follows:

Claims allowed officers, etc., for specified private property lost, etc., after April 5, 1917.

"SECTION 1. That private property belonging to officers, enlisted men, and members of the Nurse Corps (female) of the Army, including all prescribed articles of equipment and clothing which they are required by law or regulation to own and use in the performance of their duties, and horses and equipment required by law or regulations to be provided by mounted officers, which since the 5th day of April, 1917, has been or shall hereafter be lost, damaged, or destroyed in the military service, shall be replaced, or the damage thereto, or its value recouped to the owner as hereinafter provided, when such loss, damage, or destruction has occurred or shall hereafter occur without fault or negligence on the part of the owner in any of the following circumstances:

If without fault, etc., of owner.

Shipped on unseaworthy vessel under orders.

"First. When such private property so lost, damaged, or destroyed was shipped on board an unseaworthy vessel by order of an officer authorized to give such order or direct such shipment.

If owner was saving life or public property, etc.

"Second. When it appears that such private property was so lost, damaged, or destroyed in consequence of its owner having given his attention to the saving of human life or property belonging to the United States which was in danger at the same time and under similar circumstances, or while, at the time of such loss, damage, or destruction, the claimant was engaged in authorized military duties in connection therewith.

"Third. When during travel under orders such private property, including the regulating allowance of baggage, transferred by a common carrier, or otherwise transported by the proper agent or agency of the United States Government, is lost, damaged, or destroyed; but replacement, recoupment, or commutation in these circumstances, where the property was or shall be transported by a common carrier, shall be limited to the extent of such loss, damage, or destruction over and above the amount recoverable from said carrier.

In transit by common carrier or Government agency.

"Fourth. When such private property is destroyed or captured by the enemy, or is destroyed to prevent its falling into the hands of the enemy, or is abandoned on account of lack of transportation or by reason of military emergency requiring its abandonment, or is otherwise lost in the field during campaign.

Destroyed by enemy, etc.

"SEC. 2. That except as to such property as by law or regulation is required to be possessed and used by officers, enlisted men, and members of the Army Nurse Corps (female), respectively, the liability of the Government under this Act shall be limited to damage to or loss of such sums of money or such articles of personal property as the Secretary of War shall decide or declare to be reasonable, useful, necessary, and proper for officers, enlisted men, or members of the Army Nurse Corps (female), respectively, as the case may be, to have in their possession while in quarters, or in the field, engaged in the public service in the line of duty.

Limitation on liability, etc.

Sums of money included.

"SEC. 3. That the Secretary of War is authorized and directed to examine into, ascertain, and determine the value of such property lost, destroyed, captured, or abandoned as specified in the foregoing paragraphs, or the amount of damage thereto, as the case may be; and the amount of such value or damage so ascertained and determined shall be paid by disbursing officers of the Army, or such property lost, destroyed, captured, or abandoned, or so damaged as to be unfit for service, may be replaced in kind from Government property on hand when the Secretary of War shall so direct.

Ascertainment of value by Secretary of War.

Payment or replacement authorized.

"SEC. 4. That the tender of replacement or of commutation or the determination made by the Secretary of War upon a claim presented, as provided for in the foregoing section, shall constitute a final determination of any claim cognizable under this chapter, and such claim shall not thereafter be reopened or considered.

Tender, etc., a final determination of claim.

"SEC. 5. That no claim arising under this Act shall be considered unless made within two years from the time that it accrued, except that when a claim accrues in time of war, or when war intervenes within two years after its accrual, such claim may be presented within two years after peace is established.

Time limit for presenting claims.

"SEC. 6. That for the payment of claims arising and established under this Act there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $300,000.

Appropriation for paying claims.

"SEC. 7. That so much of the Act of March 28, 1918 (Fortieth Statutes, pages 479, 480), as makes provision for the presentation, adjustment, and payment of claims of officers and enlisted men for loss of private property destroyed in the military service be, and the same hereby is, repealed."

Former law repealed.

Vol. 40, pp. 479, 480, repealed.

Approved, March 4, 1921.

March 4, 1921.
[S. 4511.]
[Public, No. 392.]

CHAP. 164.—An Act Authorizing the Secretary of War to grant a right of way over certain Government lands to the State of Oregon for the Columbia River Highway.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized to grant to the State of Oregon, for the purpose of constructing, maintaining, and operating the Columbia River High-

Columbia River improvements.

Oregon granted right of way over, for Columbia River Highway.