

"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.

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.

March 4, 1921.

[S. 4511.]

[Public, No. 392.]

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.

Proviso.
Location, etc.

Reversion for non-
use.

way, a permanent right of way over and across portions of the lands of the United States acquired and held in connection with the improvement of the Dallas-Celilo section of the Columbia River: *Provided*, That the exact location and dimensions of the right of way shall be fixed by the Secretary of War: *Provided further*, That the grant shall be subject to the express condition that the right of way shall be used solely and exclusively for the roadway purpose aforesaid, and any part thereof not so used shall revert to the United States.

Approved, March 4, 1921.

March 4, 1921.
[S. 4572.]

[Public, No. 393.]

CHAP. 165.—An Act Granting to the city and county of Honolulu, Territory of Hawaii, a right of way over and across the Fort De Russy Military Reservation for the purpose of extending its sewer system.

Fort De Russy Military
Reservation.
Honolulu, Hawaii,
granted right of way
across, for sewer sys-
tem.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and there hereby is, granted to the city and county of Honolulu, Territory of Hawaii, subject to the conditions named in section 2 of this Act, a right of way over and across the Fort De Russy Military Reservation in said Territory for the purpose of constructing an extension of its sewer system, including a booster station in connection therewith, and of maintaining and operating the same, said right of way to include a strip of land twelve feet in width and approximately one thousand four hundred and twenty feet in length, and in addition thereto a contiguous area of approximately eight hundred square feet for the erection, maintenance, and operation of said booster station.

Conditions imposed.

SEC. 2. That the grant made in section 1 of this Act is upon the condition that said sewer and booster station shall be placed underground; that the United States shall have the right at any and all times to connect with said sewer at such place and places as it shall deem desirable and to use the same for purposes of drainage and sewage disposal from said reservation; and that the construction of said sewer and booster station upon the right of way herein granted shall be along such route and upon such site and in accordance with such plans and specifications as shall have been previously approved by the Secretary of War.

Approved, March 4, 1921.

March 4, 1921.
[S. 4827.]

[Public, No. 394.]

CHAP. 166.—An Act To authorize the Secretary of War to furnish to the National Museum certain articles of the arms, matériel, equipment, or clothing heretofore issued or produced for the United States Army, and to dispose of colors, standards, and guidons of demobilized organizations of the United States Army, and for other purposes.

Military equipment.
Specimens of arms,
etc., used or produced
by the Army, to be ex-
hibited in National
Museum.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he hereby is, authorized to furnish to the National Museum, for exhibition, upon request therefor by the administrative head thereof, such articles of arms, matériel, equipment, or clothing as have been issued from time to time to the United States Army, or which have been or may hereafter be produced for the United States Army, and which are objects of general interest or of foreign or curious research, provided that such articles are surplus or can be spared.

Colors, etc., of demo-
bilized Army organiza-
tions.
Returned to States if
organized from Na-
tional Guard of.

SEC. 2. That the Secretary of War be, and he hereby is, authorized to dispose of all colors, standards, and guidons of demobilized organizations of the United States Army in the following manner: Any which were used during their service by such organizations and which