AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

Proviso.
Parentage limitation not applicable.
Vol. 40, p. 564.

Chickasaw, and Seminole Nations and the Quapaw Agency in Oklahoma, during the fiscal year ending June 30, 1921: *Provided*, That this appropriation shall not be subject to the limitation in section 1 of the Act of May 25, 1918 (Fortieth Statutes, page 564), limiting the expenditure of money to educate children of less than one-fourth Indian blood."

Approved, March 12, 1920.

March 15, 1920.
[S. 3037.]
[Public, No. 159.]

CHAP. 100.—An Act To authorize the Secretary of War to transfer certain surplus motor-propelled vehicles and motor equipment and road-making material to various services and departments of the Government, and for the use of the States.

Army surplus supplies.
Transfers of motor vehicles, equipment, etc., directed.

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 is hereby, authorized and directed to transfer such motor-propelled vehicles and motor equipment, including spare parts, pertaining to the Military Establishment as are or may hereafter be found to be surplus and no longer required for military purposes, to (a) the Department of Agriculture, for use in the improvement of highways and roads under the provisions of section 7 of the Act approved February 28, 1919, entitled "An Act making appropriations for the service of the Post Office Department, for the fiscal year 1920, and for other purposes": *Provided, however*, That no more motor-propelled vehicles, motor equipment, and other war material, equipment, and supplies, the transfer of which is authorized in this Act, shall be transferred to the Department of Agriculture for the purposes named in section 7 of said Act than said Department of Agriculture shall certify can be efficiently used for such purposes within a reasonable time after such transfer; (b) the Post Office Department for use in the transmission of mails; and (c) the Treasury Department, for the use of the Public Health Service under the provisions of section 3 of the Act approved March 3, 1919, entitled "An Act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines."

To Agricultural Department, for roads.
Vol. 40, p. 1201.
Post, p. 584.

Proviso.
Limit.

For Postal Service.

For Public Health Service.
Vol. 40, p. 1303.

Surplus road making material transferred to Agricultural Department.
Vol. 40, p. 1201.
Post, pp. 1155, 1349.

Sec. 2. That the Secretary of War is hereby authorized and directed to transfer to the Department of Agriculture, under the provisions of section 7 of the Act approved February 28, 1919, entitled "An Act making appropriations for the service of the Post Office Department for the fiscal year 1920, and for other purposes," for use in the improvement of highways and roads, as therein provided, the following war material, equipment, and supplies pertaining to the Military Establishment as are or may hereafter be found to be surplus and not required for military purposes, to wit, road rollers, graders, and oilers; sprinkling wagons; concrete mixers; derricks; pile-driver outfits complete; air and steam drill outfits; centrifugal and diaphragm pumps with power; rock crushers; clamshell and orange-peel buckets; road scarifiers; caterpillar and drag-line excavators; plows; cranes; trailers; rubber and steam hose; asphalt plants; steam shovels; dump wagons; hoisting engines; air-compressor outfits with power; boilers; drag, Fresno, and wheel scrapers; stump pullers; wheelbarrows; screening plants; wagon loaders; blasting machines; hoisting cable; air hose; corrugated-metal culverts; explosives and exploders; engineers' transits, levels, tapes, and similar supplies and equipment; drafting machines; planimeters; fabricated bridge materials; industrial railway equipment; conveyors, gravity and power; donkey engines; corrugated-metal roofing; steel and iron pipe; wagons and similar equipment and supplies such as are used directly for road-building purposes.

Items specified.

SEC. 3. That the Secretary of War is also hereby authorized and directed to transfer to the Department of Agriculture, for the use of the Forest Service, such telephone supplies pertaining to the Military Establishment which have been found to be surplus and no longer required for military purposes and are needed for the present use of the said service.

Telephone supplies transferred to Forest Service.

SEC. 4. That freight charges incurred in the transfer of the property provided for in this Act shall not be defrayed by the War Department, and if the War Department shall load any of said property for shipment the expense of said loading shall be reimbursed the War Department by the department to which the property is transferred by an adjustment of the appropriations of the two departments: *Provided, however,* That any State receiving any of said property for use in the improvement of public highways shall, as to the property it receives, pay to the Department of Agriculture the amount of 20 per centum of the estimated value of said property, as fixed by the Secretary of Agriculture or under his direction, against which sum the said State may set off all freight charges paid by it on the shipment of said property, not to exceed, however, said 20 per centum.

Freight charges, etc.

Proviso. States to pay for property received by them.

Freight charges deducted.

SEC. 5. That the title to said vehicles and equipment shall be and remain vested in the State for use in the improvement of the public highways, and no such vehicles and equipment in serviceable condition shall be sold or the title to the same transferred to any individual, company, or corporation: *Provided,* That any State highway department to which is assigned motor-propelled vehicles and other equipment and supplies, transferred herein to the Department of Agriculture, may, in its discretion, arrange for the use of such vehicles and equipment, for the purpose of constructing or maintaining public highways, with any State agency or municipal corporation at a fair rental which shall not be less than the cost of maintenance and repair of said vehicles and equipment.

State title to vehicles, etc.

Proviso. Rental for public highways.

SEC. 6. That the provisions of the Act of July 16, 1914 (Thirty-eighth Statutes, page 454), prohibiting the expenditure of appropriations by any of the executive departments or other Government establishments for the maintenance, repair, or operation of motor-propelled or horse-drawn passenger-carrying vehicles in the absence of specific statutory authority, shall not apply to vehicles transferred, or hereafter to be transferred, by the Secretary of War to the Department of Agriculture for the use of the Department under the provisions of this Act, or under the provisions of section 7 of the Act of February 28, 1919, referred to in section 1 hereof: *Provided, however,* That nothing in this Act contained shall be held or construed to modify, amend, or repeal the provisions of the last proviso under the item entitled "Contingencies of the Army," as contained in the Act entitled "An Act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes," approved July 11, 1919, except as to direction for the transfer of those articles enumerated in section 2 hereof.

Prohibition on vehicle expenditures not applicable to authorized transfers. Vol. 38, p. 508.

Vol. 40, p. 1201.

Proviso. Sales to States, etc., not affected. *Ante,* p. 105.

Approved, March 15, 1920.

March 17, 1920. [S. 3696.] [Public, No. 160.]

CHAP. 101.—An Act To amend section 98 of an Act entitled "An Act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, as amended.

United States courts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 98 of an Act