

the terms hereof, any or all members of the National Guard and of the Organized Militia of the several States, Territories, and the District of Columbia and any and all members of the National Guard and Organized Militia Reserves, to serve for the period of the emergency, not exceeding three years, unless sooner discharged: *Provided*, That all persons so drafted shall, from the date of their draft, stand discharged from the militia during the period of their service under said draft.

**Term.**  
*Proviso.*  
Discharged from militia.

**Pension laws applicable.**  
*Ante*, p. 211.

**Combinations into tactical units.**

**Appointment of officers.**  
Vol. 32, p. 779.  
*Ante*, p. 190.

*Proviso.*  
Filling vacancies made by Army officers appointed in volunteers.  
Vol. 38, p. 349.

**Assignment of officers in command.**

**Precedence if no assignment.**

*Proviso.*  
Rank of Army officers in drafted force.

**SEC. 2.** That the provisions of section one hundred and twelve of the national defense Act of June third, nineteen hundred and sixteen, shall be applicable to any officer or enlisted man drafted into the service of the United States pursuant to the provisions of this joint resolution.

**SEC. 3.** That when organizations the members of which are drafted under the provisions of this resolution do not constitute complete tactical units the President may, by combining such organizations, organize battalions, regiments, brigades, and divisions, and may appoint officers for such units from the Regular Army, from the members of such organizations, from those duly qualified and registered pursuant to section twenty-three of the Act of Congress approved January twenty-first, nineteen hundred and three, or members of the Officers' Reserve Corps as provided in section thirty-eight of the national defense Act of June third, nineteen hundred and sixteen, officers with rank not above that of colonel to be appointed by the President alone and all other officers to be appointed by the President, by and with the advice and consent of the Senate: *Provided*, That vacancies incident to the appointment of officers of the Regular Army to the positions in the forces drafted for this emergency may be filled under the provisions of section eight of the Act of April twenty-fifth, nineteen hundred and fourteen.

**SEC. 4.** That whenever in time of war or public danger or during the emergency declared in section one of this resolution, two or more officers of the same grade are on duty in the same field, department, or command, or organizations thereof, the President may assign the command of the forces of such field, department, or command, or of any organization thereof, without regard to seniority of rank in the same grade. In the absence of such assignment by the President, officers of the same grade shall rank and have precedence in the following order without regard to date of rank or commission as between officers of different classes, namely: First, officers of the Regular Army and officers of the Marine Corps detached for service with the Army by order of the President; second, officers of forces drafted into the military service of the United States: *Provided*, That officers of the Regular Army holding commissions in forces drafted into the service of the United States shall rank and have precedence under said commissions as if they were commissioned in the Regular Army; but the rank of officers of the Regular Army under their commissions in the forces drafted into the service of the United States shall not for the purpose of this resolution be held to antedate muster or draft into the service of the United States.

Approved, July 1, 1916.

July 3, 1916.  
[S. 31.]

[Public, No. 134.]

Public lands.  
John L. Sevy.  
Exchange of land with.

CHAP. 212.—An Act For the relief of John L. Sevy.

*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 is hereby authorized to issue patent to John L. Sevy, for the following-described lands: The south half of the northwest quarter of the southeast quarter of section twelve, township thirty-six

south, range eight west; the north half of lot one, section eighteen, township thirty-six south, range seven west; the south half of lot three, section twelve, township thirty-six south, range eight west; the west half of the southeast quarter of the southeast quarter of section seven, township thirty-six south, range seven west; the southeast quarter of the southeast quarter of the southeast quarter, section seven, the west half of the northwest quarter of the northwest quarter and the northwest quarter of the southwest quarter of the northwest quarter of section seventeen, township thirty-six south, range seven west of Salt Lake meridian, situate in the Sevier National Forest, upon the transfer by the said John L. Sevy to the United States of a valid title to the north half of the northeast quarter of the southwest quarter of section twelve, township thirty-six south, range eight west; the south half of lot one of section thirteen, township thirty-six south, range eight west; the northeast quarter of the northeast quarter of section twenty-five, township thirty-five south, range four west; the southeast quarter of the southwest quarter of section seventeen, township thirty-six south, range three west of Salt Lake meridian, situate in the Sevier and Powell National Forests: *Provided*, That upon the reconveyance of the surrendered lands they will become a part of the Sevier and Powell National Forests.

Approved, July 3, 1916.

*Proviso.*  
Added to Sevier and Powell National Forests.

**CHAP. 213.**—An Act Providing for patents to homesteads on the ceded portion of the Wind River Reservation in Wyoming.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That any person, who, prior to the passage of this Act, made homestead entry on the ceded portion of Wind River Reservation, in Wyoming, who has not abandoned the same, whose entry is still existent and of record, and who has been unable to secure water for the irrigation of the land covered by his entry, may secure title to the same upon the submission of satisfactory proof that he has established and maintained actual bona fide residence upon his land for a period of not less than eight months, and upon payment of all sums remaining due on said land, as provided for by the Act of March third, nineteen hundred and five.

Approved, July 3, 1916.

July 3, 1916.  
[S. 733.]  
[Public, No. 135.]

Wind River Reservation, Wyo.  
Patents to homesteaders on ceded lands not irrigated.

Residence required.  
Vol. 33, p. 1019.

**CHAP. 214.**—An Act Authorizing leave of absence to homestead settlers upon unsurveyed lands.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That any qualified person who has heretofore or shall hereafter in good faith make settlement upon and improve unsurveyed unreserved unappropriated public lands of the United States with intention, upon survey, of entering same under the homestead laws shall be entitled to a leave of absence in one or two periods not exceeding in the aggregate five months in each year after establishment of residence: *Provided*, That he shall have plainly marked on the ground the exterior boundaries of the lands claimed and have filed in the local land office notice of the approximate location of the lands settled upon and claimed, of the period of intended absence, and that he shall upon the termination of the absence and his return to the land file notice thereof in the local land office.

Approved, July 3, 1916.

July 3, 1916.  
[S. 1066.]  
[Public, No. 136.]

Public lands.  
Leave of absence allowed settlers on unsurveyed lands.

*Proviso.*  
Notices, etc., required.