

[CHAPTER 316]

AN ACT

To facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior boundaries of the Angeles National Forest, California.

June 11, 1940
[H. R. 2009]
[Public, No. 591]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture, with the approval of the National Forest Reservation Commission established by section 4 of the Act of March 1, 1911 (U. S. C., title 16, sec. 513), is hereby authorized to acquire by purchase any lands, or interests therein, within the boundaries of the Angeles National Forest, in the State of California, which, in his judgment, should become the property of the United States in order that they may be so managed with other lands of the United States as to minimize soil erosion and flood damage, and to pay for said lands, or interests therein, from the entire receipts from occupancy of public land or from the sale of natural resources other than mineral, within the Angeles National Forest, which receipts are hereby authorized to be appropriated for that purpose until said lands have been acquired: *Provided*, That any appropriated amounts which are unexpended and unobligated at the close of the fiscal year for which appropriated shall be transferred to the national-forest receipts of that fiscal year and amounts so transferred and such part of the entire receipts of any fiscal year as are not appropriated shall be disposed of in like manner as other national-forest receipts.

Angeles National Forest, Calif.
Acquisition of lands in, for soil erosion, etc., control.
36 Stat. 962.

Payment from Forest receipts, etc.

Appropriation authorized.

Proviso.
Transfer of unexpended appropriations.

Approved, June 11, 1940.

[CHAPTER 317]

AN ACT

Authorizing the selection of a site in the District of Columbia and the erection thereon of a statue of George Washington.

June 11, 1940
[H. R. 6168]
[Public, No. 592]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Architect of the Capitol is authorized and directed to select a suitable site within the Capitol grounds of the United States in the District of Columbia for the erection of a statue of George Washington, and to erect thereon the replica in bronze, cast by the Gorham Company and now in its possession, of the statue by J. Q. A. Ward, which stands on the steps of the Subtreasury Building in the city of New York. Such statue shall be erected upon a suitable granite pedestal, the design of which shall be approved by the National Commission of Fine Arts.

District of Columbia.
Statue of George Washington.
Site.

Pedestal.

Appropriation authorized.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$25,000, or so much thereof as may be necessary, to carry out the provisions of this Act.

Approved, June 11, 1940.

[CHAPTER 318]

AN ACT

To authorize the Secretary of the Interior to convey to the State of North Carolina for use in connection with the Blue Ridge Parkway certain land within the Cherokee Indian Reservation in the State of North Carolina.

June 11, 1940
[H. R. 6668]
[Public, No. 593]

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 authorized and directed to convey to the State of North Carolina for use as a right-of-way in connection with the Blue Ridge Parkway in the State of North Carolina all right, title, and

Blue Ridge Parkway, N. C.
Conveyance of land to State of N. C., authorized.

Description.	<p>interest of the United States and the Eastern Band of Cherokee Indians in such land and the timber thereon, to be determined as hereinafter provided, within the Cherokee Indian Reservation in the State of North Carolina as may be necessary for the construction and maintenance of such parkway over the following course: Beginning at a point in State Highway Numbered 293 near Soco Gap and extending to a junction with State Highway Numbered 107, near the mouth of the Ravens Fork of the Oconoluftee River by way of the following approximate controls: Leaving Soco Gap and following the east and northerly slopes of Soco and Bunches Bald ridge and crossing through Docks Gap to the south and west side of Soco and Bunches Bald; thence crossing Lickstone Ridge and entering Bunches Gap from the south; thence from Bunches Gap, following the south slopes of the main ridge, crossing Jenkins Divide ridge and entering Big Witch Gap from the southeast; thence leaving Big Witch Gap in a northwesterly direction and keeping on the northerly and westerly slopes of the main ridge, but crossing the various spur ridges circling around the heads of Mingo Creek and Sherrills Cove, and around the north end of the ridge lying immediately northeast of the Ravensford Mill site, crossing the Oconoluftee River to the junction with State Highway Numbered 107, previously referred to, and in addition, starting in a northeasterly direction from Bunches Gap passing about one-half mile north of Soco Bald; thence turning north and intersecting the boundary between the Qualla Indian Reservation and the Great Smoky Mountains National Park at a point approximately one mile northeast of Bunches Gap.</p>
Survey before conveyance.	<p>SEC. 2. Before making such conveyance, the Secretary of the Interior shall have the lands along such course surveyed and shall determine the exact location and boundaries of the land to be conveyed for use as such right-of-way, which shall not exceed one hundred and twenty-five acres per mile. The deed of conveyance for such land shall contain an accurate description of the location and boundaries of such land in order that the interests of the United States and the Eastern Band of Cherokee Indians may be properly protected.</p>
Deed of conveyance.	<p>SEC. 3. In consideration of conveyance, the State of North Carolina shall pay to the United States the sum of \$40,000 or \$30 per acre for the lands embraced in the right-of-way described in section 1, whichever sum is the largest, which shall be deposited in the Treasury to the credit of the Eastern Band of Cherokee Indians and held in trust by the United States for the Eastern Band of Cherokee Indians. It is understood and agreed that the State of North Carolina shall build without further payment for right-of-way, and without expense to the United States or the Cherokee Indians, a suitable State highway between Soco Gap and Cherokee Village, subject to the same laws, rules and regulations applicable to all State highways of North Carolina.</p>
Payment by State to U. S.	<p>SEC. 4. The Secretary of the Interior is hereby authorized, in his discretion, to grant to the Eastern Band of Cherokee Indians the beneficial interest in any lands selected by the council of said band within the Boundary Tree tract, containing approximately eight hundred and eighty-four acres; and the said Secretary is hereby directed to exclude from the Great Smoky Mountains National Park any lands so selected and granted. Prior to the consummation of any such grant, payment shall be made for all lands included therein by the transfer of a sum equal to the fair market value of such lands, as determined by the Secretary of the Interior, from any funds in the United States Treasury to the credit of said band, including funds made available under section 3 hereof, to the credit of the fund</p>
Deposit.	
Construction of State highway; location.	
Eastern Band of Cherokee Indians. Granting to, of interest in designated lands, authorized.	
Payment by transfer of funds.	

"National Park Service, donations", which transfer the Secretary of the Treasury is hereby authorized to make upon request by the council of said band approved by the Secretary of the Interior. Funds so transferred shall be available for national park and monument uses, including the acquisition of lands for inclusion in the Great Smoky Mountains National Park. All lands purchased or otherwise acquired for the Eastern Band of Cherokee Indians under authority contained in this Act shall constitute a part of the Cherokee Indian Reservation in North Carolina, shall be held by the United States in trust for said band, and shall be nontaxable, nonalienable to the same extent as other lands within said reservation.

Approved, June 11, 1940.

Availability of transferred funds.

Inclusion of acquired lands in Reservation.

[CHAPTER 319]

AN ACT

To amend the service pension Acts pertaining to the War with Spain, Philippine Insurrection, and the China Relief Expedition to include certain continuous service.

June 11, 1940
[H. R. 7147]
[Public, No. 594]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in determining the period of active service for the purpose of the Act of May 1, 1926 (Public Law Numbered 166, Sixty-ninth Congress), the Act of June 2, 1930 (Public Law Numbered 299, Seventy-first Congress), and the Act of May 24, 1938 (Public Law Numbered 541, Seventy-fifth Congress), granting service pensions to veterans and dependents of deceased veterans of the War with Spain, the Philippine Insurrection, or the China Relief Expedition, continuous active service entered into during the War with Spain, the Philippine Insurrection, or the China Relief Expedition shall be included although part of such continuous service extended into either the Philippine Insurrection or the China Relief Expedition. Payments of benefits under the provisions of this Act shall be effective the date of enactment thereof as to those persons on the rolls and as to claims pending on the date of enactment of this Act. In all other cases awards of pension authorized hereunder shall be effective from date of application therefor after the date of enactment of this Act.

Pensions.
Determination of period of active service of certain veterans.
44 Stat. 382; 46 Stat. 492; 52 Stat. 440.
38 U. S. C. §§ 364-365h; Supp. V, §§ 364c, 365, 365a, 365d, 370-370d.

Payments, effective date.

Approved, June 11, 1940.

[CHAPTER 320]

AN ACT

To transfer the site and buildings of the Tomah Indian School to the State of Wisconsin.

June 11, 1940
[H. R. 7530]
[Public, No. 595]

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 transfer to the State of Wisconsin, upon such terms and in such manner as may be mutually agreed upon, for institutional or other public use, title to all or any part of the property known and designated as the Tomah Indian School located at Tomah, Wisconsin.

Tomah Indian School, Wis.
Transfer to State of Wisconsin of title to property.

Approved, June 11, 1940.