

## [CHAPTER 780]

## AN ACT

To liberalize the laws providing pensions for the dependents of veterans whose death resulted from service prior to April 21, 1898.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That on and after the 1st day of the month following the month in which this Act is enacted persons entitled to pension under the provisions of the general pension law, for death resulting from service prior to April 21, 1898, shall be entitled to pension at the rates provided by paragraph III of Part II of Veterans' Regulation Numbered 1 (a), as amended: *Provided,* That this Act shall not be so construed as to reduce any pension under any Act, public or private.

Approved, June 28, 1938.

June 28, 1938  
[H. R. 8434]  
[Public, No. 758]

Pensions.  
Rates, designated  
persons.

38 U. S. C., ch. 2;  
Supp. III, ch. 2.

*Proviso.*  
No reduction in  
pension.

## [CHAPTER 781]

## AN ACT

To authorize Federal cooperation in the acquisition of the "Muir Wood Toll Road", located in Marin County, State of California, and for other purposes.

*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 to expend, out of any roads and trails funds available to the National Park Service, Department of the Interior, the sum of not to exceed \$25,000 to match, dollar for dollar, such sum as may be required to be expended by the Department of Public Works, State of California, for the purpose of acquiring, as a part of the State or county free-road system, the road known as the "Muir Wood Toll Road", extending from the Marin County Panorama Highway to the Muir Woods National Monument and from there down the Frank Valley to its junction with the State highway near Muir Beach, Marin County, California: *Provided,* That no such funds shall be expended until the State or county shall have taken action necessary to insure that title to the road will be acquired and until the State or county shall have agreed to assume full responsibility for the future maintenance and operation of the road in proper condition to accommodate the traffic thereon.

Approved, June 28, 1938.

June 28, 1938  
[H. R. 10752]  
[Public, No. 759]

Muir Wood Toll  
Road, Marin County,  
Calif.

Expenditure au-  
thorized for Federal  
cooperation in ac-  
quiring, as part of free-  
road system.

*Proviso.*  
Conditions.

## [CHAPTER 782]

## AN ACT

Authorizing the States of Minnesota and Wisconsin, jointly or separately, to construct, maintain, and operate a free highway bridge across the Mississippi River at or near Winona, Minnesota.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes the States of Minnesota and Wisconsin, jointly or separately, be, and are hereby, authorized to construct, maintain, and operate a free highway bridge and approaches thereto across the Mississippi River at a point suitable to the interests of navigation, at or near Winona, Minnesota, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

June 28, 1938  
[H. R. 10866]  
[Public, No. 760]

Mississippi River.  
Minnesota and Wis-  
consin may bridge, at  
Winona, Minn.

24 Stat. 84.  
33 U. S. C. §§ 491-  
498.

SEC. 2. There is hereby conferred upon the States of Minnesota and Wisconsin, jointly or separately, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Acquisition of approaches, etc.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, June 28, 1938.

[CHAPTER 795]

AN ACT

Authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

June 28, 1938  
[H. R. 10618]  
[Public, No. 761]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, hereafter, Federal investigations and improvements of rivers and other waterways for flood control and allied purposes shall be under the jurisdiction of and shall be prosecuted by the War Department under the direction of the Secretary of War and supervision of the Chief of Engineers, and Federal investigations of watersheds and measures for run-off and waterflow retardation and soil erosion prevention on watersheds shall be under the jurisdiction of and shall be prosecuted by the Department of Agriculture under the direction of the Secretary of Agriculture, except as otherwise provided by Act of Congress.

Flood control of rivers, etc.; run-off retardation, etc., on watersheds.  
Jurisdiction and prosecution.

SEC. 2. That section 3 of the Act of June 22, 1936 (Public, Numbered 738, Seventy-fourth Congress), as heretofore amended and as herein further modified, shall apply to all flood control projects, except as otherwise specifically provided by law.

State, etc., cooperation.  
49 Stat. 1571; 50 Stat. 877.  
33 U. S. C., Supp. III, § 701c.

That in case of any dam and reservoir project, or channel improvement or channel rectification project for flood control, herein authorized or heretofore authorized by the Act of June 22, 1936 (Public, Numbered 738, Seventy-fourth Congress), as amended, and by the Act of May 15, 1928 (Public, Numbered 391, Seventieth Congress) as amended by the Act of June 15, 1936 (Public, Numbered 678, Seventy-fourth Congress), as amended, title to all lands, easements, and rights-of-way for such project shall be acquired by the United States or by States, political subdivisions thereof or other responsible local agencies and conveyed to the United States, and provisions (a), (b), and (c) of section 3 of said Act of June 22, 1936, shall not apply thereto. Notwithstanding any restrictions, limitations, or requirement of prior consent provided by any other Act, the Secretary of War is hereby authorized and directed to acquire in the name of the United States title to all lands, easements, and rights-of-way necessary for any dam and reservoir project or channel improvement or channel rectification project for flood control, with funds heretofore or hereafter appropriated or made available for such projects, and States, political subdivisions thereof, or other responsible local agencies, shall be granted and reimbursed, from such funds, sums equivalent to actual expenditures deemed reasonable by the Secretary of War and

Title to lands, easements, etc.

49 Stat. 1570.  
33 U. S. C., Supp. III, §§ 701a-701h.  
45 Stat. 534; 49 Stat. 1508.  
33 U. S. C. §§ 702a-702m, 704; Supp. III, §§ 702a-1-702a-10, 702g-1, 702j-1, 2, 702k-1, 2.

Dam and reservoir projects, channel improvements, etc.

Reimbursement of funds expended.