

of Engineers, including river and harbor improvements, flood control, and other such works, shall, while so employed, be paid their pay and allowances, mileage and travel allowances from the appropriation for the work or works upon which they are employed: *And provided further*, That the number of officers so engaged and so paid shall be exclusive of the commissioned strength of the Regular Army as now or hereafter limited by the funds appropriated for "Pay of the Army" in the annual War Department Appropriation Act.

To be exclusive of commissioned strength of the Regular Army.

Approved, June 26, 1936.

## [CHAPTER 840.]

## AN ACT

To provide for the commemoration of the Battle of Eutaw Springs, in the State of South Carolina.

June 26, 1936.

[H. R. 255.]

[Public, No. 825.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That for the purpose of commemorating the battle which occurred at Eutaw Springs, in the State of South Carolina, during the Revolutionary War, when title to such lands on the site of the Battle of Eutaw Springs as may be designated by the Secretary of the Interior in the exercise of his discretion as necessary or desirable for battlefield-site purposes, shall be vested in the United States, said area shall be set apart as a battlefield site for the benefit and inspiration of the people and shall be called the Eutaw Springs Battlefield Site.

Battle of Eutaw Springs, S. C.  
Designation of lands on site of, for battlefield-site purposes.

Name designated.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land, interests in land, and/or buildings, structures, and other property within the boundaries of the said battlefield site as determined and fixed hereunder, and donations of funds for the purchase and/or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States out of any donated funds, either by purchase at prices deemed by him reasonable, or by condemnation under the provisions of the Act of August 1, 1888, such tracts of land on the said battlefield site as may be necessary for the completion thereof.

Acceptance of land, etc., donations.

*Proviso*.  
Purchases from donated funds.  
Condemnation.  
Vol. 25, p. 357.  
U. S. C., p. 1785.

SEC. 3. The administration, protection, and development of the aforesaid battlefield site shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes", as amended.

Administration, etc., by National Park Service.

Vol. 39, p. 535.  
U. S. C., p. 591.

Approved, June 26, 1936.

## [CHAPTER 841.]

## AN ACT

To provide for an investigation to determine whether the water rights of the United States have been violated in the Clear Lake Watershed, California, and for other purposes.

June 26, 1936.

[H. R. 6773.]

[Public, No. 826.]

*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 (1) to make a full and complete investigation with a view to determining whether any dams, waterworks, or other projects have been constructed in the Clear Lake Watershed, in the State of California, in violation of the water rights of the United States in such State, and (2) to report thereon to the Congress as soon as practicable.

Clear Lake Watershed, Calif.  
Investigation directed to determine whether Federal water rights have been violated.  
Report to Congress.

Appropriation au-  
thorized; reimbursable.

SEC. 2. There is hereby authorized to be appropriated from the reclamation fund the sum of \$5,000 or so much thereof as may be necessary to carry out the provisions of section 1 of this Act, the amounts expended from such appropriations to be reimbursable under the reclamation law.

Approved, June 26, 1936.

[CHAPTER 842.]

AN ACT

June 26, 1936.  
[H. R. 10094.]  
[Public, No. 827.]

To amend the Act entitled "An Act to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes", approved June 28, 1934 (48 Stat. 1269).

Overgrazing and soil  
deterioration, public  
lands.

Vol. 48, p. 1269.  
U. S. C., p. 1863.  
Area to be included  
in grazing districts  
enlarged.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the first sentence of section 1 of the Act entitled "An Act to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes", approved June 28, 1934, is amended by striking out the words "eighty million" and inserting in lieu thereof the words "one hundred and forty-two million".

SEC. 2. Section 7 of such Act is amended to read as follows:

Classification of  
lands.

Lands more valuable  
for other purposes.

Homestead entries;  
limitation.

Settlement restric-  
tion.

Provisos.  
Locations, etc., under  
mining laws.  
Vol. 41, p. 437.

Preference right of  
entry.

Acceptance of lands  
within exterior bound-  
aries of grazing districts.

"SEC. 7. That the Secretary of the Interior is hereby authorized, in his discretion, to examine and classify any lands withdrawn or reserved by Executive order of November 26, 1934 (numbered 6910), and amendments thereto, and Executive order of February 5, 1935 (numbered 6964), or within a grazing district, which are more valuable or suitable for the production of agricultural crops than for the production of native grasses and forage plants, or more valuable or suitable for any other use than for the use provided for under this Act, or proper for acquisition in satisfaction of any outstanding lieu, exchange or script rights or land grant, and to open such lands to entry, selection, or location for disposal in accordance with such classification under applicable public-land laws, except that homestead entries shall not be allowed for tracts exceeding three hundred and twenty acres in area. Such lands shall not be subject to disposition, settlement, or occupation until after the same have been classified and opened to entry: *Provided*, That locations and entries under the mining laws, including the Act of February 25, 1920, as amended, may be made upon such withdrawn and reserved areas without regard to classification and without restrictions or limitation by any provision of this Act. Where such lands are located within grazing districts reasonable notice shall be given by the Secretary of the Interior to any grazing permittee of such lands. The applicant, after his entry, selection, or location is allowed, shall be entitled to the possession and use of such lands: *Provided*, That upon the application of any applicant qualified to make entry, selection, or location, under the public-land laws, filed in the land office of the proper district, the Secretary of the Interior shall cause any tract to be classified, and such application, if allowed by the Secretary of the Interior, shall entitle the applicant to a preference right to enter, select, or locate such lands if opened to entry as herein provided."

SEC. 3. Section 8 of such Act is amended to read as follows:

"SEC. 8. (a) That where such action will promote the purposes of the district or facilitate its administration, the Secretary is authorized, for the purpose of this Act only, to accept on behalf of the United States any lands within the exterior boundaries of a grazing district as a gift.