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half minutes west nine hundred and sixteen and seventy-eight one-hundredths feet to an iron rod, transit point numbered 51; south fifty-six degrees twenty-four and one-half minutes west four hundred and ninety-four and forty-six one-hundredths feet to an iron rod, transit point numbered 52; north seventy-eight degrees twenty-nine minutes west six hundred and seventy and fifty-two one-hundredths feet to an iron rod, transit point numbered 53; north fifty-nine degrees twenty-five minutes west three hundred and eight and fifty-seven one-hundredths feet to an iron rod, transit point numbered 54; south forty-eight degrees thirty-four minutes west one thousand and thirty-eight and fifteen one-hundredths feet to an iron rod, transit point numbered 55;

North forty-five degrees fifty-nine minutes west nine hundred two and seventy-nine one-hundredths feet to an iron rod; north thirty-three degrees thirty minutes west three hundred twenty-four and twenty-eight one-hundredths feet to an iron rod; north eighty-two degrees fifty-one and one-half minutes west one hundred fifty-seven and forty-nine one-hundredths feet to an iron rod; north forty-eight degrees forty-three minutes west forty-four and seventy one-hundredths feet to an iron rod; south eighty-two degrees forty-eight minutes east one hundred seventy-three and two one-hundredths feet to an iron rod; north thirty-three degrees thirty minutes west three hundred ninety-eight and ninety-six one-hundredths feet to an iron rod; north eighty-four degrees fifteen and one-half minutes west four hundred ninety and seventy-eight one-hundredths feet to the point of beginning, and containing eighty-one and eighty-five one-hundredths acres, more or less, and lying entirely within Swain County.

The lands last above described shall constitute a part of the Cherokee Indian Reservation in North Carolina and shall be held by the United States in trust for said band and shall be nontaxable and nonalienable as other lands of said reservation.

Agreement.

SEC. 2. The Secretary of the Interior, for the purpose of insuring prompt and full compliance with the conditions relating to the exchange of lands hereby affected, as set forth in the said Resolution Numbered 33 of October 17, 1947, is hereby authorized and directed to enter into an agreement with the Governor of the State of North Carolina which shall contain assurance that the present Indian Service road at Wolf Laurel shall remain open for Indian use without restriction; provide for the construction by the North Carolina State Highway and Public Works Commission, at its own expense, of a hard-surface access road of suitable width from Mollie Gap to the site of the proposed tourist development to be made on tribal land in the vicinity of Soco Bald; and set forth such other terms and conditions as may be mutually desirable for effectuating the purposes of the said resolution.

Approved October 10, 1949.

[CHAPTER 654]

AN ACT

October 10, 1949
[H. R. 5598]
[Public Law 339]

To increase compensation for World War I presumptive service-connected cases, provide minimum ratings for service-connected arrested tuberculosis, increase certain disability and death compensation rates, liberalize requirement for dependency allowances, and redefine the terms "line of duty" and "willful misconduct".

Veterans of World War I.
Service-connected disabilities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That part of the second proviso of section 28, Public Law Numbered 141, Seventy-third Congress, March 28, 1934 (48 Stat. 524; U. S. C., title 38, sec. 722), which limits payment of compensation thereunder to 75 per

centum of the payments otherwise authorized, is hereby repealed, and the Administrator of Veterans' Affairs is hereby authorized and directed to pay 100 per centum of the compensation otherwise authorized under Public Law Numbered 141, Seventy-third Congress.

48 Stat. 524.
38 U. S. C. §§ 366, 367, 471a, 473a, 501a, 511a, 700, 706, 709, 722, 723.
Ante, p. 731.
38 U. S. C. note foll. § 739, p. 4275.
Tuberculosis.
48 Stat. 8.
38 U. S. C. §§ 701-721; Supp. II, § 701; 5 U. S. C. § 30a.
Ante, p. 688.

SEC. 2. That Veterans Regulation Numbered 3 (a), as amended, is hereby amended by adding thereto a new paragraph to read as follows:

"II. Any ex-service person shown to have active tuberculosis which is compensable under Public Law Numbered 2 and the Veterans Regulations promulgated pursuant thereto, who in the judgment of the Administrator of Veterans' Affairs has reached a condition of complete arrest, shall be rated as totally disabled for a period of two years following such date of arrest, as 50 per centum disabled for an additional period of four years, and 30 per centum for a further five years. Following far advanced active lesions the permanent rating shall be 30 per centum, and following moderately advanced lesions, the permanent rating, after eleven years, shall be 20 per centum, provided there is continued disability, dyspnea on exertion, impairment of health, and so forth; otherwise the rating shall be zero per centum: *Provided*, That this Act shall not be construed as requiring a reduction of compensation authorized under any other law or regulation: *Provided further*, That no compensation shall be payable under this Act for any period prior to its enactment: *And provided further*, That the total disability rating herein provided for the two years following a complete arrest may be reduced to 50 per centum for failure to follow prescribed treatment or to submit to examination when requested."

Compensation.
38 U. S. C. note foll. § 739, p. 4264.

SEC. 3. (a) That subparagraphs (a) to (j), inclusive, of paragraph II, part I, Veterans Regulation Numbered 1 (a), as amended, are hereby amended to read as follows:

"(a) If and while the disability is rated 10 per centum the monthly compensation shall be $15.

"(b) If and while the disability is rated 20 per centum the monthly compensation shall be $30.

"(c) If and while the disability is rated 30 per centum the monthly compensation shall be $45.

"(d) If and while the disability is rated 40 per centum the monthly compensation shall be $60.

"(e) If and while the disability is rated 50 per centum the monthly compensation shall be $75.

"(f) If and while the disability is rated 60 per centum the monthly compensation shall be $90.

"(g) If and while the disability is rated 70 per centum the monthly compensation shall be $105.

"(h) If and while the disability is rated 80 per centum the monthly compensation shall be $120.

"(i) If and while the disability is rated 90 per centum the monthly compensation shall be $135.

"(j) If and while the disability is rated as total the monthly compensation shall be $150."

38 U. S. C., Supp. II, note foll. § 743.

(b) Paragraph IV of part 1 of Veterans Regulation Numbered 1 (a), as amended, is hereby amended by striking out "widow with one child, $100 (with $15 for each additional child)" and inserting in lieu thereof "widow with one child, $105 (with $25 for each additional child)".

62 Stat. 1219.
38 U. S. C., Supp. II, §§ 740-743.

SEC. 4. That the compensation now payable under the Act of July 2, 1948 (Public Law Numbered 877, Eightieth Congress), for certain veterans with service-connected disabilities who have dependents, be amended to include persons whose service-connected disability is rated not less than 50 per centum.

SEC. 5. That paragraph VIII of Veterans Regulation Numbered 10, as amended by Public Law 439, Seventy-eighth Congress, is hereby further amended by striking out the period and substituting a colon therefor and adding the following: "*Provided, however*, That disease, injury, or death incurred without willful misconduct on the part of the service person shall be deemed to have been incurred in line of duty if the sentence of the court martial did not involve an unremitted dishonorable discharge or if the offense for which convicted by civil court did not involve a felony as defined under the laws of the jurisdiction where the service person was convicted by such civil court."

58 Stat. 752.
38 U. S. C. note foll. § 739, p. 4278.
Injury, etc., incurred in line of duty.

SEC. 6. The increases provided by this Act shall be effective from the first day of the second calendar month following the date of enactment of this Act.

Effective date.

Approved October 10, 1949.

[CHAPTER 659]

AN ACT

October 10, 1949
[H. R. 4029]
[Public Law 340]

To authorize the Secretary of the Interior to procure for the Everglades National Park with available funds, including those made available by the State of Florida, the remaining lands and interest in lands within the boundary agreed upon between the State of Florida and the Secretary of the Interior, within and a part of that authorized by the Act of May 30, 1934 (48 Stat. 816), and within which the State has already donated its lands, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to consolidate the Federal ownership of lands within the boundary set forth in deed numbered 19035 executed December 28, 1944, by the trustees of the Internal Improvement Fund of the State of Florida, and accepted by the Secretary of the Interior on March 14, 1947, for Everglades National Park purposes, the said Secretary is hereby authorized, within the aforesaid boundary and with any funds made available for that purpose, to procure lands or interests therein by purchase or otherwise, subject, however, to the right of retention by owners of lands, interests in lands, interests in oil, gas, and mineral rights, or royalties, their heirs, executors, administrators, successors, or assigns (hereinafter referred to as "owners"), at their election, of the following:

Everglades National Park.
Procurement of lands.

Retention of rights by owners.

(1) The reservation until October 9, 1958, of all oil, gas, and mineral rights or interests, including the right to lease, explore for, produce, store, and remove oil, gas, and other minerals from such lands: *Provided*, That if on or before said date, oil, gas, or other minerals are being produced in commercial quantities anywhere within the boundary set forth in aforesaid deed numbered 19035, then in that event the time of the reservation as set forth in this subsection shall automatically extend for all owners, regardless of whether such production is from land in which such owners have an interest, for so long as oil, gas, or other minerals are produced in commercial quantities anywhere within said boundary. To exercise this reservation, the owners, their lessees, agents, employees, and assigns shall have such right of ingress and egress to and from such lands as may be necessary; and

Time limitation.

Automatic extension.

(2) After the termination of the reserved rights of owners as set forth in subsection (1) hereof, a further reservation of the right to customary royalties, applying at the time of production, in any oil, gas, or other minerals which may be produced from such lands at any time before January 1, 1985, should production ever be authorized by the Federal Government or its assigns.

Royalties.