

its approval. The said central council shall prepare a combined roll of all communities and submit it to the Secretary of the Interior for approval. Approval of the roll by the said Secretary of the Interior shall operate as final proof of the right of such Indian communities to share in the benefits of this Act as set forth in section 8.

Approval of roll; effect.

Apportionment of benefits.

Deposits and expenditures.

Provisos.
Use of interest.

Per capita payments.

Attorneys' services.

Limitation.

Notice to Attorney General, etc.

SEC. 8. The amount of any judgment in favor of said Tlingit and Haida Indians of Alaska, after payment of attorneys fees, shall be apportioned to the different Tlingit and Haida communities listed in the roll provided for in section 7 in direct proportion to the number of names on each roll, and shall become an asset thereof, and shall be deposited in the Treasury of the United States to the credit of each community, and such funds shall bear interest at the rate of 4 per centum per annum, and shall be expended from time to time upon requisition by the said communities by and with advice and consent of the Secretary of the Interior, and under regulations as he may prescribe, for the future economic security and stability of said Indian groups, through the acquisition or creation of productive economic instruments and resources of public benefit to such Indian communities: *Provided, however,* That the interest on such funds may be used for beneficial purposes such as the relief of distress, emergency relief and health: *Provided further,* That none of the funds above indicated or the interest thereon shall ever be used for per capita payments.

SEC. 9. That upon the final determination of any suit or suits instituted under this Act, if there is judgment for the plaintiff Indians, the Court of Claims shall inquire into the agreement or contract which said Indians have made with their attorneys for compensation for their services in said suit or suits, and if said Court of Claims shall find that such services have been faithfully performed by said attorneys, it shall make a finding to that effect and adjudge that said attorneys' compensation shall be paid as agreed upon in said contract out of the appropriation made for the payment of the sum found due to said Indians, but in no case to exceed 10 per centum of the amount of the total recovery, and said sum so found to be due to said attorneys shall be paid in full out of the sums so found due to said Indians and the remainder of said total sum due to said Indians shall be expended as provided in section 8 of this Act.

SEC. 10. A copy of the petition and other pleadings and briefs in said suit or suits brought under this Act shall be served upon the Attorney General of the United States, and he, or some attorney from the Department of Justice to be designated by him, is hereby directed to appear and defend the interests of the United States in such case or cases.

Approved, June 19, 1935.

[CHAPTER 276.]

AN ACT

June 19, 1935.
[S. 2688.]
[Public, No. 153.]

To amend an Act entitled "An Act to regulate the manner in which property shall be sold under orders and decrees of any United States courts", approved March 3, 1893, as amended.

Sale of property
under court order.
Ante, p. 159, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 1, 2, and 3 of the Act entitled "An Act to regulate the manner in which property shall be sold under orders and decrees of any United States courts", approved March 3, 1893 (ch. 225, 27 Stat. 751, as amended;

U. S. C., title 28, secs. 847, 848, and 849), be, and they hereby are, amended by inserting before the period at the end of each of said sections 1, 2, and 3 the following: "or by receivers or conservators of banks, appointed by the Comptroller of the Currency".

Approved, June 19, 1935.

Sales of property of banks in liquidation excepted from provisions of Act.

[CHAPTER 277.]

AN ACT

To amend the National Defense Act of June 3, 1916, as amended.

June 19, 1935.

[H. R. 5720.]

[Public, No. 154.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 38 of the National Defense Act of June 3, 1916, as amended be, and the same is hereby, amended by inserting the following paragraph after the third paragraph thereof:

National Defense Act amendments.

Vol. 39, p. 190; Vol. 48, p. 155; U. S. C., p. 1431.

"To the extent provided for from time to time by appropriations for this specific purpose, the President may order officers of the National Guard of the United States to active duty in an emergency at any time and for the period thereof: *Provided*, That, except in time of a national emergency expressly declared by Congress, no officer of the National Guard of the United States shall be employed on active duty for more than fifteen days in any calendar year without his own consent. When on such active duty an officer of the National Guard of the United States shall receive the same pay and allowances as an officer of the Regular Army of the same grade and length of active service, and mileage from his home to his first station and from his last station to his home, but shall not be entitled to retirement or retired pay."

National Guard of the United States. Officers, emergency active service.

Proviso. Restriction, without consent.

Pay and allowances.

SEC. 2. That section 58 of said Act be, and the same is hereby, amended by adding thereto another paragraph to read as follows: " : *And provided further*, That in the grades of first lieutenant and second lieutenant the number shall be unlimited."

Composition of National Guard.

Vol. 39, p. 197; Vol. 48, p. 155; U. S. C., p. 1429.

First and second lieutenant grades; number.

SEC. 3. That section 70 of said Act be, and the same is hereby, amended by adding the following paragraph at the end thereof:

Vol. 39, p. 201; Vol. 48, p. 156; U. S. C., p. 1439.

Enlistment oath.

"That the oath of enlistment prescribed in this section may be taken before any officer of the National Guard authorized to administer oaths of enlistment in the National Guard of the several States, Territories, and the District of Columbia, by respective laws thereof. All oaths of enlistment heretofore administered by the officers described above are hereby validated."

SEC. 4. That section 77 of said Act be, and the same is hereby, amended by striking out all of said section and inserting in lieu thereof the following:

Vol. 39, p. 202; Vol. 48, p. 159; U. S. C., p. 1438.

Elimination and disposition of officers.

"ELIMINATION AND DISPOSITION OF OFFICERS OF THE NATIONAL GUARD OF THE UNITED STATES.—The appointments of officers and warrant officers of the National Guard may be terminated or vacated in such manner as the several States, Territories, and the District of Columbia shall provide by law. Whenever the appointment of an officer or warrant officer of the National Guard of a State, Territory, or the District of Columbia has been vacated or terminated or upon reaching the age of sixty-four, the Federal recognition of such officer shall be withdrawn and he shall be discharged from the National Guard of the United States: *Provided*, That under such regulations as the Secretary of War may prescribe, upon termination of service in the active National Guard, an officer of the National Guard of the United States may, if he makes application therefor, transfer to the inactive National Guard and remain in the National Guard of the

Proviso. Transfers to inactive status.