AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

yards or arsenals of the United States, when time and facilities permit, and when in the judgment of the Secretary, such repair, purchase, acquirement, or production would not involve an appreciable increase in cost to the Government, except when the repair, purchase, or acquirement, by or from any private contractor, would, in the opinion of the Secretary, be advantageous to the national defense.

Short title.

SEC. 113. This Act may be cited as the "Department of the Navy Appropriation Act, 1949".

Approved June 24, 1948.

[CHAPTER 618]

JOINT RESOLUTION

June 24, 1948
[S. J. Res. 203]
[Public Law 754]

Providing for the ratification by Congress of a contract for the purchase of certain lands and mineral deposits by the United States from the Choctaw and Chickasaw Nations of Indians.

Choctaw and Chickasaw Nations of Indians.
Ratification of contract.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following contract between the United States of America and the Choctaw and Chickasaw Nations of Indians, entered into on October 8, 1947, pursuant to the provisions of the Act of June 28, 1944 (58 Stat. 483), is hereby ratified by the Congress, to wit:

"CONTRACT

"This contract of purchase, by and between the United States of America entered into in its behalf by J. A. Krug, Secretary of the Interior, and the Choctaw and Chickasaw Nations, acting by William A. Durant, Principal Chief of the Choctaw Nation, and Floyd E. Maytubby, Governor of the Chickasaw Nation, pursuant to the provisions of the Act of June 28, 1944 (58 Stat. 483), and for the purpose of carrying out the terms and provisions thereof, it is mutually agreed between the parties hereto, as follows:

Purchase price.

"1. Subject to the approval of this contract by a vote of the living enrolled eligible voters of the Choctaw and Chickasaw Nations, and its ratification by the Congress of the United States, the United States agrees to pay to the Choctaw and Chickasaw Nations, and the Choctaw and Chickasaw Nations agree to accept, the sum of $8,500,000 in full payment for all of their right, title, and interest in the lands and mineral deposits reserved from allotment in accordance with the provisions of section 58 of the Supplemental Agreement of 1902 (32 Stat. 641), and in full and final settlement of any and all claims for damages against the United States for any failure on the part of the United States, its officers, agents, or employees, to sell such properties in accordance with the terms of the Supplemental agreement, or for any other failure alleged to have occurred in connection with the sale, lease, and administration of such properties by the United States, its officers, agents, or employees.

Credit of purchase price.

"2. Upon approval of this contract as provided by section 1 hereof, and its ratification by the Congress, the amount of the purchase price, when appropriated by the Congress, shall be placed to the credit of the Choctaw and Chickasaw Nations on the books of the Treasury of the United States, and shall be distributed as hereinafter set forth.

Conveyance.

"3. When the purchase price herein agreed upon shall have been appropriated, the Principal Chief of the Choctaw Nation and the Governor of the Chickasaw Nation shall execute a conveyance or conveyances, satisfactory in form and substance to the Secretary of the Interior, vesting in the United States all of the right, title, and interest of the said Choctaw and Chickasaw Nations, in and to such lands and mineral deposits, and releasing all claims for damages against the

United States for the failure of the United States, its officers, agents, and employees, to sell such properties in accordance with the terms and provisions of said Supplemental Agreement of 1902, or for any other failure alleged to have occurred in connection with the sale, lease, and administration of such properties.

32 Stat. 641.

"4. The purchase price when appropriated shall be allocated three-fourths (¾) to the Choctaw Nation and one-fourth (¼) to the Chickasaw Nation, and shall be distributed per capita by the Secretary of the Interior to the enrolled members of said Nations, exclusive of persons enrolled as Freedmen, who, under the Atoka Agreement (30 Stat. 495) are not entitled to share in this distribution. The share of a deceased member shall be distributed to his heirs or devisees determined in conformity with the law applicable at the date of the death of the deceased member, or the date of the death of his heirs or devisees.

Allocation of purchase price.

"Before payment is made to the heirs of any deceased member, proof of death and heirship satisfactory to the Superintendent for the Five Civilized Tribes Agency must be made, and the finding of said Superintendent upon such proof shall be final and conclusive. Such per capita payments shall be made directly to such members, or their heirs or devisees, any restrictions of law to the contrary notwithstanding, except that payments due to adults under legal disability, or to minors, may be made, under such rules and regulations as the Commissioner of Indian Affairs may prescribe, to legal guardians or curators of such adults or minors, or to natural guardians where legal guardians or curators have not been appointed.

Proof of death and heirship.

"No expenditure of any kind or character shall be allowed the United States as an offset or claim for reimbursement against the proceeds from the sale of such lands and mineral deposits.

"5. All proceeds from the sale of any of the properties mentioned herein made subsequent to the date of this contract, and prior to the appropriation of the purchase price, shall be credited on the purchase price. All royalties from any coal, asphalt, oil, gas, or other minerals mined from the herein mentioned properties, until the first of the month in which the purchase price shall be appropriated, the balance of the purchase price of any sales made prior to the date of this contract, and such other moneys as may be due the Choctaw and Chickasaw Nations from said properties, shall, when paid, be placed to the credit of the Choctaw and Chickasaw Nations on the books of the Treasury of the United States.

Proceeds from sale of property.

Royalties.

"6. This agreement shall not be binding upon the Choctaw and Chickasaw Nations until it has been duly approved by a majority of the living enrolled eligible voters of the Choctaw and Chickasaw Nations voting at a special election called for such purpose pursuant to the Act of June 28, 1944, and shall not be binding upon the United States until ratified by the Congress of the United States.

Approval and ratification.

58 Stat. 483.

"In Witness Whereof, the representatives of the parties hereto do hereunto affix their names this the 8th day of October, One Thousand Nine Hundred and Forty-Seven."

"J. A. KRUG,
"Secretary of the Interior.
"WILLIAM A. DURANT,
"Principal Chief of the Choctaw Nation.
"FLOYD E. MAYTUBBY,
"Governor of the Chickasaw Nation."

Approved June 24, 1948.