

June 15, 1926.
[S. 3160.]
[Public, No. 393.]

Fort Peck Indian
Reservation, Mont.
Further time to en-
trymen on, unable to
make payments due.
Vol. 43, p. 1267.

Interest.
Provisos.
Proof of inability to
be shown.

Additional extension
allowed.

Lands forfeited if
payments not made.

CHAP. 588.—An Act For the relief of certain settlers on the Fort Peck Indian Reservation, State of Montana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any entryman on the former Fort Peck Indian Reservation, or his successors or transferees, who is unable to make payment as required by the Act of March 4, 1925 (Forty-third Statutes, page 1267), may obtain an extension of time for the payment of the total amount of principal and interest required by that Act for one year from the date when such sum became or shall become due under the provisions of said Act, upon the payment of interest on the total amount involved at the rate of 5 per centum per annum: *Provided*, That the claimant shows to the satisfaction of the Commissioner of the General Land Office by affidavit corroborated by the affidavits of at least two persons, the fact of and the reason for his inability to make the payment: *Provided further*, That such claimant for the same reason and upon making payment of like interest and furnishing a like affidavit may obtain an additional extension of one year, but no more, for the payment of any amount so extended.

SEC. 2. Upon failure of any person to make complete payment of the required amount within the period of any extension granted in accordance with the provisions of this Act, the homestead entry of such person shall be canceled and the lands shall revert to the status of other tribal lands of the Fort Peck Indian Reservation.

Approved, June 15, 1926.

June 15, 1926.
[S. 3884.]
[Public, No. 394.]

Tongue River Indian
Reservation, Mont.
Amount from tribal
funds for expenses of de-
legates to Washington.

CHAP. 589.—An Act Authorizing expenditure of tribal funds of Indians of the Tongue River Indian Reservation, Montana, for expenses of delegates to Washington.

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 hereby authorized to expend not to exceed \$1,000 of the tribal funds of the Indians of the Tongue River Indian Reservation, Montana, for the payment of the expenses of delegates from said reservation in coming to Washington on official business of the tribe, when authorized by the Secretary of the Interior or the Commissioner of Indian Affairs.

Approved, June 15, 1926.

June 15, 1926.
[H. R. 4007.]
[Public, No. 395.]

New Mexico.
Public lands granted
to, on admission as a
State.
Vol. 36, p. 565, amend-
ed.

Proviso.
Acceptance of lands
from State in national
forests.

CHAP. 590.—An Act To amend an Act approved June 20, 1910, entitled "An Act to enable the people of New Mexico to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the people of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 10 of the Act entitled "An Act to enable the people of New Mexico to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the people of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States," approved June 20, 1910, be, and the same is hereby amended, subject to the consent to the terms hereof by the State of New Mexico, by adding the following: *Provided*, That the Secretary of the Interior be, and he is hereby, authorized in his discretion to accept on behalf of the United States, title to any land within the

exterior boundaries of the national forests in the State of New Mexico, title to which is in the State of New Mexico, which the said State of New Mexico is willing to convey to the United States, and which shall be so conveyed by deed duly recorded and executed by the governor of said State and the State land commissioner, with the approval of the State land board of said State, and as to land granted to the said State of New Mexico for the support of common schools with the approval of the State superintendent of public instruction of said State, as to institutional grant lands with the approval of the governing body of the institution for whose benefit the lands so reconveyed were granted to said State, if, in the opinion of the Secretary of Agriculture, public interests will be benefited thereby and the lands are chiefly valuable for national forest purposes, and in exchange therefor, the Secretary of the Interior, in his discretion, may give not to exceed an equal value of unappropriated, ungranted, national forest or other government land belonging to the United States within the said State of New Mexico, as may be determined by the Secretary of Agriculture and be acceptable to the State as a fair compensation, consideration being given to any reservation which either the State or the United States may make of timber, mineral, or easements.

That authority is hereby vested in the President temporarily to withdraw from disposition under the Act of June 25, 1910 (Thirty-sixth Statutes at Large, page 847), as amended by the Act of August 24, 1912 (Thirty-seventh Statutes at Large, page 497), lands proposed for selection by the State under the provisions of this Act.

SEC. 2. Where sections 2, 16, 32, and 36, within national forests, legal title to which sections is retained in the United States under the provisions of section 6 of the said Act of June 20, 1910, and which sections are administered as a part of the said national forests for the benefit of the said State of New Mexico, have not already been tendered as base for indemnity selection under sections 2275 and 2276, United States Revised Statutes, and where such sections of land, in the opinion of the Secretary of Agriculture, are chiefly valuable for forest purposes, upon surrender by the State of New Mexico of the right to make lieu selections and of all claim, right, or interest in or to said sections upon and in the event of elimination from the national forests, the Secretary of the Interior, in consideration of such surrender, may, in his discretion, give to the State of New Mexico not to exceed an equal value of unappropriated, ungranted, national forest or other government land belonging to the United States within the said State of New Mexico, as may be determined by the Secretary of Agriculture and be acceptable to the State as a fair compensation, consideration being given to any reservation which either the State or the United States may make of timber, mineral, or easements.

That the Secretary of Agriculture may establish regulations and a procedure for appraising the values of the lands owned by the United States and by the State and for carrying out the provisions of this Act.

SEC. 3. That all lands acquired by the State of New Mexico under the provisions, and all the products and proceeds of said lands, shall be subject to all the conditions and trusts to which the lands conveyed or surrendered in lieu thereof are now subject. All lands conveyed to the United States under this Act shall, upon acceptance of title, become parts of the national forests within which they are situated.

SEC. 4. That pursuant to section 10, Article XXI, constitution of the State of New Mexico, the consent of the United States is hereby

Equal value of other public lands to be given to New Mexico.

Temporary withdrawal from power site, etc., disposition, of lands for State selection.
Vol. 36, p. 847; Vol. 37, p. 497.

Exchange of common school sections in national forests, on relinquishing lieu selection right, for equal value of Government land.
Vol. 36, p. 561.

R. S., secs. 2275, 2276, p. 417.

Determination by Secretary of Agriculture.

Regulations for appraisal, etc.

Lands conveyed to New Mexico subject to conditions, etc., thereof.

Lands from New Mexico added to national forests.

Consent given to effective amendment of State constitution.

granted for amendment of the constitution of the State of New Mexico in accordance with the provision of this Act.

Approved, June 15, 1926.

June 15, 1926.
[H. R. 7188.]
[Public, No. 396.]

CHAP. 591.—An Act Granting the consent of Congress to the J. R. Buckwalter Lumber Company to construct a bridge across Pearl River in the State of Mississippi.

Pearl River.
J. R. Buckwalter
Lumber Company
may bridge, at Edin-
burg, Miss.

Construction.
Vol. 34, p. 84.

Acquisition by Mis-
sissippi, etc., author-
ized, after completion.

Determination of
compensation if ac-
quired by condemna-
tion.
Limitation.

Operation as toll
bridge, etc., if acquired
by a municipality, etc.

Maintenance as free
bridge, etc., after amor-
tization of construction
costs, etc.

Record of expendi-
tures and receipts.

Sworn statement of
construction costs, etc.,
to be filed after comple-
tion.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the J. R. Buckwalter Lumber Company, its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Pearl River at a point suitable to the interests of navigation at or near Edinburg, Leake County, Mississippi, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. After the completion of such bridge, as determined by the Secretary of War, either the State of Mississippi, any political subdivision thereof within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interests in real property necessary therefor, by purchase or condemnation in accordance with the laws of such State governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of twenty-five years after the completion of such bridge the same is acquired by condemnation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value, (2) the actual cost of acquiring such interests in real property, (3) actual financing and promotion cost, not to exceed 10 per centum of the sum of the cost of constructing the bridge and its approaches and acquiring such interest in real property, and (4) actual expenditures for necessary improvements.

SEC. 3. If such bridge shall at any time be taken over or acquired by any municipality or other political subdivision or subdivisions of the State of Mississippi under the provisions of section 2 of this Act, and if tolls are charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the cost of maintaining, repairing, and operating the bridge and its approaches, and to provide a sinking fund sufficient to amortize the amount paid for such bridge and its approaches as soon as possible under reasonable charges, but within a period of not to exceed twenty-five years from the date of acquiring the same. After a sinking fund sufficient to amortize the cost of acquiring the bridge and its approaches shall have been provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of tolls shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper care, repair, maintenance, and operation of the bridge and its approaches. An accurate record of the amount paid for the bridge and its approaches, the expenditures for operating, repairing, and maintaining the same, and of daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 4. The J. R. Buckwalter Lumber Company, its successors, and assigns shall within ninety days after the completion of such bridge file with the Secretary of War a sworn itemized statement