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March 2, 1929.
[H. R. 13593.]
[Public, No. 917.]

CHAP. 491.—An Act To legalize a bridge across the Fox River at East Dundee, Illinois.

Fox River.
Bridge across, by East Dundee, Ill., legalized.
Conditions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the bridge now being constructed across the Fox River at the foot of North Street, East Dundee, Illinois, by the village of East Dundee, Illinois, if completed in accordance with plans accepted by the Chief of Engineers and the Secretary of War, as providing suitable facilities for navigation, shall be a lawful structure and shall be subject to the conditions and limitations of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906, other than those requiring the approval of plans by the Chief of Engineers and the Secretary of War before the bridge is commenced.

Construction.
Vol. 34, p. 84.

Amendment.

Sec. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, March 2, 1929.

March 2, 1929.
[H. R. 16533.]
[Public, No. 918.]

CHAP. 492.—An Act To authorize the American Legion, Department of New Jersey, to erect a memorial chapel at the Naval Air Station, Lakehurst, New Jersey.

Naval Air Station, Lakehurst, N. J.
American Legion, permitted to erect memorial chapel at.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to permit the American Legion, Department of New Jersey, to erect at the Naval Air Station, Lakehurst, New Jersey, a memorial chapel in commemoration of those whose lives are lost in aviation and particularly in lighter-than-aircraft activities. The erection of this memorial chapel shall be subject to the following conditions:

Conditions.

Site, design, etc., subject to approval of Secretary of the Navy.

First. The site of the memorial chapel shall be selected by the Secretary of the Navy, and its design and construction, with its individual memorials and memorial windows, shall be subject to his approval and supervision.

No Government cost.

Second. The design and construction of the memorial chapel shall be without cost to the United States.

Acceptance as unconditional gift when completed and dedicated.

Sec. 2. Upon the completion and dedication of the memorial chapel, the Secretary of the Navy is authorized to accept it as an unconditional gift to the United States from the American Legion, Department of New Jersey.

Approved, March 2, 1929.

March 2, 1929.
[S. 2360.]
[Public, No. 919.]

CHAP. 493.—An Act Relating to the tribal and individual affairs of the Osage Indians of Oklahoma.

Osage Indians, Okla.
Vol. 41, p. 1249, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of Congress of March 3, 1921 (Forty-first Statutes at Large, page 1249), relating to the Osage Indians of Oklahoma, be, and the same is hereby, amended to read as follows:

Oil, etc., lands reserved to, until April 8, 1958.
Vol. 34, p. 542.

"That all that part of the Act of June 28, 1906 (Thirty-fourth Statutes at Large, page 539), entitled 'An Act for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes,' which reserves to the Osage Tribe the oil, gas, coal, or other minerals, covered by the lands for the selection and division of which provision is made in that Act is hereby amended so that the oil, gas, coal, or other minerals, covered by said lands are

reserved to the Osage Tribe, until the 8th day of April, 1958, unless otherwise provided by Act of Congress, and all royalties and bonuses arising therefrom shall belong to the Osage Tribe of Indians, and shall be disbursed to members of the Osage Tribe or their heirs or assigns as now provided by law, after reserving such amounts as are now or may hereafter be authorized by Congress for specific purposes.

Royalties therefrom to be disbursed to members of the tribe.

"The lands, moneys, and other properties now or hereafter held in trust or under the supervision of the United States for the Osage Tribe of Indians, the members thereof, or their heirs and assigns, shall continue subject to such trust and supervision until January 1, 1959, unless otherwise provided by Act of Congress.

Lands, etc., held in trust, continued subject thereto, until January 1, 1959.

"The Secretary of the Interior and the Osage tribal council are hereby authorized and directed to offer for lease for oil, gas, and other mining purposes any unleased portion of said land in such quantities and at such times as may be deemed for the best interest of the Osage Tribe of Indians: *Provided*, That not less than twenty-five thousand acres shall be offered for lease for oil and gas mining purposes during any one year: *Provided further*, That as to all lands hereafter leased, the regulations governing same and the leases issued thereon shall contain appropriate provisions for the conservation of the natural gas for its economic use, to the end that the highest percentage of ultimate recovery of both oil and gas may be secured: *Provided, however*, That nothing herein contained shall be construed as affecting any valid existing lease for oil or gas or other minerals, but all such leases shall continue as long as gas, oil, or other minerals are found in paying quantities.

Unleased land to be offered for oil and gas leases.

Provisos.
Minimum yearly offering.

Regulations for conservation of gas to be contained in leases.

Valid existing leases continued.

"Homestead allotments of Osage Indians not having a certificate of competency shall remain exempt from taxation while the title remains in the original allottee of one-half or more of Osage Indian blood and in his unallotted heirs or devisees of one-half or more of Osage Indian blood until January 1, 1959: *Provided*, That the tax-exempt land of any such Indian allottee, heir, or devisee shall not at any time exceed one hundred and sixty acres.

Tax exemption of homesteads of Indians without competency certificate.

Proviso.
Area limited.

Sec. 2. That section 2 of the Act of March 3, 1921 (Forty-first Statutes at Large, page 1249), entitled "An Act to amend section 3 of the Act of Congress of June 28, 1906, entitled 'An Act for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes,'" be, and the same is hereby, amended to read as follows:

Vol. 41, p. 1249, amended.

"The bona fide owner or lessee of the surface of the land shall be compensated, under rules and regulations prescribed by the Secretary of the Interior in connection with oil and gas mining operations, for any damage that shall accrue after the passage of this Act as a result of the use of such land for oil or gas mining purposes, or out of damages to the land or crops thereon, occasioned thereby, but nothing herein contained shall be construed to deny to the surface owner or lessee the right to appeal to the courts, without the consent of the Secretary of the Interior, in the event he is dissatisfied with the amount of damages awarded him. All claims for damages arising under this section shall be settled by arbitration under rules and regulations to be prescribed by the Secretary of the Interior; but either party shall have the right to appeal to the courts without consent of the Secretary of the Interior in the event he is dissatisfied with the award to or against him. The appeal herein authorized shall consist of filing an original action in any court of competent jurisdiction sitting at the county seat of Osage County, to enlarge, modify or set aside the award, and in any such action, upon demand of either party, the issues, both of law and of fact shall be tried de novo before a jury upon the request of either party. Arbitration, or

Surface owners to be paid for damages from mining operations.

Appeal to court.

Settlement by arbitration.

Procedure for appeals in county court.

Provisos.
Suit in Federal court allowed.

a bona fide offer in writing to arbitrate, shall constitute conditions precedent to the right to sue for such damages: *Provided*, That nothing herein contained shall preclude the institution of any such suit in a Federal court having jurisdiction thereof, or the removal to said court of any such suit brought in the State court, which under Federal law may be removed to the Federal court: *Provided further*, That nothing herein shall be construed to limit the time for any action to be filed to less than ninety days."

Time for filing.

Vol. 43, p. 1010, amended.
Payments from income.

Sec. 3. That section 1 of the Act of Congress of February 27, 1925 (Forty-third Statutes at Large, page 1008), is hereby amended by adding thereto the following:

Indians without competency certificate.

"The Secretary of the Interior be, and is hereby, authorized, in his discretion, under such rules and regulations as he may prescribe, upon application of any member of the Osage Tribe of Indians not having a certificate of competency, to pay all or any part of the funds held in trust for such Indian: *Provided*, That the Secretary of the Interior shall, within one year after this Act is approved, pay to each enrolled Indian of less than half Osage blood, one-fifth part of his or her proportionate share of accumulated funds. And such Secretary shall on or before the expiration of ten years from the date of the approval of this Act, advance and pay over to such Osage Indians of less than one-half Osage Indian blood, all of the balance appearing to his credit of accumulated funds, and shall issue to such Indian a certificate of competency: *And provided further*, That nothing herein contained shall be construed to interfere in any way with the removal by the Secretary of the Interior of restrictions from and against any Osage Indian at any time."

Proviso.
Payments hereafter to enrolled Indians of less than one-half Osage blood.

Removal of restrictions at any time.

Vol. 43, p. 1010, amended.

Sec. 4. That section 2 of the Act of Congress approved February 27, 1925 (Forty-third Statutes at Large, page 1011), being an Act to amend the Act of Congress of March 3, 1921 (Forty-first Statutes at Large, page 1249), be, and the same is hereby, amended to read as follows:

Disposition of property, etc., to estates of Indians without competency certificates.

"Upon the death of an Osage Indian of one-half or more Indian blood who does not have a certificate of competency, his or her moneys and funds and other property accrued and accruing to his or her credit and which have heretofore been subject to supervision as provided by law may be paid to the administrator or executor of the estate of such deceased Indian or direct to his heirs or devisees, or may be retained by the Secretary of the Interior in the discretion of the Secretary of the Interior, under regulations to be promulgated by him: *Provided*, That the Secretary of the Interior shall pay to administrators and executors of the estates of such deceased Osage Indians a sufficient amount of money out of such estates to pay all lawful indebtedness and costs and expenses of administration when approved by him; and, out of the shares belonging to heirs or devisees, above referred to, he shall pay the costs and expenses of such heirs or devisees, including attorney fees, when approved by him, in the determination of heirs or contest of wills. Upon the death of any Osage Indian of less than one-half of Osage Indian blood or upon the death of an Osage Indian who has a certificate of competency, his moneys and funds and other property accrued and accruing to his credit shall be paid and delivered to the administrator or executor of his estate to be administered upon according to the laws of the State of Oklahoma: *Provided*, That upon the settlement of such estate any funds or property subject to the control or supervision of the Secretary of the Interior on the date of the approval of this Act, which have been inherited by or devised to any adult or minor heir or devisee of one-half or more Osage Indian

Provisos.
Payment of indebtedness, administration expenses, etc.

Delivery of property to administrator of Indian with less than one-half Osage blood, and having competency certificate.

Funds from the estate, for Indians without competency certificate, to be delivered to Secretary of Interior for disposition.

blood who does not have a certificate of competency, and which have been paid or delivered by the Secretary of the Interior to the administrator or executor shall be paid or delivered by such administrator or executor to the Secretary of the Interior for the benefit of such Indian and shall be subject to the supervision of the Secretary as provided by law."

Restrictions applicable to unallotted Osages born since July 1, 1907, and their heirs.

Sec. 5. The restrictions concerning lands and funds of allotted Osage Indians, as provided in this Act and all prior Acts now in force, shall apply to unallotted Osage Indians born since July 1, 1907, or after the passage of this Act, and to their heirs of Osage Indian blood, except that the provisions of section 6 of the Act of Congress approved February 27, 1925, with reference to the validity of contracts for debt, shall not apply to any allotted or unallotted Osage Indian of less than one-half degree Indian blood: *Provided*, That the Osage lands and funds and any other property which has heretofore or which may hereafter be held in trust or under supervision of the United States for such Osage Indians of less than one-half degree Indian blood not having a certificate of competency shall not be subject to forced sale to satisfy any debt or obligation contracted or incurred prior to the issuance of a certificate of competency: *Provided further*, That the Secretary of the Interior is hereby authorized in his discretion to grant a certificate of competency to any unallotted Osage Indian when in the judgment of the said Secretary such member is fully competent and capable of transacting his or her own affairs.

Validity of contracts for debt.

Vol. 43, p. 1011.

Provisos.

Property in trust for Indians of less than one-half Osage blood, etc., not subject to forced sale, etc.

Certificate of competency granted to unallotted Osage Indian, at discretion of the Secretary.

Outstanding obligations of restricted Indians to be paid from funds thereof.

Sec. 6. All just existing obligations of restricted Osage Indians outstanding January 1, 1929, when approved by the Superintendent of the Osage Agency, shall be paid out of the money of such Indian appearing to his credit, in addition to his quarterly allowances: *And provided further*, That nothing herein contained shall be construed to interfere in any way with the granting of a certificate of competency by the Secretary of the Interior, as provided for by existing law, at any time after the payment of all of his or her just debts which have been presented to and approved by the Superintendent of the Osage Indian Agency.

Proviso.

Competency certificates may be granted after payments of all debts.

Vol. 34, p. 545, amended.

Tribal officers, etc.

Sec. 7. That section 9 of the Act of Congress approved June 28, 1906 (Thirty-fourth Statutes at Large, page 539), be, and the same is hereby, amended to read as follows:

Quadrennial election of principal chief, and members of tribal council.

"That there shall be a quadrennial election of officers of the Osage Tribe as follows: A principal chief, an assistant principal chief, and eight members of the Osage tribal council, to succeed the officers elected in the year 1928, said officers to be elected at a general election to be held in the town of Pawhuska, Oklahoma, on the first Monday in June, 1930, and on the first Monday in June each four years thereafter, in the manner to be prescribed by the Commissioner of Indian Affairs, and said officers shall be elected for a period of four years commencing on the 1st day of July following said elections, and in case of vacancy in the office of principal chief or other such officer by death, resignation, or otherwise, the vacancies of the Osage tribal council shall be filled in a manner to be prescribed by the Osage tribal council, and the Secretary of the Interior is hereby authorized to remove from the council any member or members thereof for good cause, to be by him determined, after the party involved has had due notice and opportunity to appear and defend himself, and said tribal government so constituted shall continue in full force and effect to January 1, 1959."

Filling vacancies.

Approved, March 2, 1929.