

Owners of adjoining lands allowed to submit bid for royalty to be paid for oil or gas extracted through wells thereon, from the rights of way.

Offer from holder of right of way.

Grant of award.

Discretionary right to shut down, etc., wells.

Determination of royalty.

Provisos.
Royalty from land adjacent.

Reduction on small production.

Regulations, etc., authorized.

SEC. 3. That prior to the award of any lease under section 1 of this Act, the Secretary of the Interior shall notify the owner or lessee of adjoining lands and allow him a reasonable time, to be fixed in the notice given, within which to submit an offer or bid of the amount or percentage of compensatory royalty that such owner will agree to pay for the extraction through wells on his or its adjoining land, of the oil or gas under and from such adjoining right of way, and at the same time afford the holder of the railroad or other right of way a like opportunity within the same time to submit its bid or offer as to the amount or percentage of royalty it will agree to pay, if a lease for the extraction of the oil and gas deposits under the right of way be awarded to the holder of such right of way. In case of competing offers by the said parties in interest, the Secretary shall award the right to extract the oil and gas to the bidder, duly qualified, making the offer in his opinion most advantageous to the United States. In case but one bid or offer is received after notice duly given, he may, in his discretion award the right to extract the oil and gas to such bidder.

SEC. 4. That any lease granted by the Secretary of the Interior pursuant to this Act may, in the discretion of said Secretary, contain a provision giving the lessee the right, with the approval of said Secretary, to shut down the operation of any well or wells the operation of which has become unprofitable, to resume operations when such resumption may result in profit, and to abandon any well or wells that cease to produce oil and/or gas in paying quantities.

SEC. 5. That the royalty to be paid to the United States under any lease to be issued, or agreement made pursuant to this Act, shall be determined by the Secretary of the Interior, in no case to be less than 12½ per centum in amount or value of the production, nor for more than twenty years: *Provided*, That when the oil or gas is produced from land adjacent to the right of way the amount or value of the royalty to be paid to the United States shall be within the discretion of the Secretary of the Interior: *Provided further*, That when the daily average production of any oil well does not exceed ten barrels per day said Secretary may, in his discretion, reduce the royalty on subsequent production.

SEC. 6. That the Secretary of the Interior is authorized and directed to adopt rules and regulations governing the exercise of the discretion and authority conferred by this Act, which rules and regulations shall constitute a part of any application or lease hereunder.

Approved, May 21, 1930.

May 21, 1930.
[H. R. 10171.]
[Public, No. 242.]

CHAP. 308.—An Act Providing for the erection at Clinton, Sampson County, North Carolina, of a monument in commemoration of William Rufus King, former Vice President of the United States.

William Rufus King.
Plans for erection of tablet in commemoration of, to be executed by Secretary of War.
Vol. 45, pp. 719, 1378.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in carrying into effect the provisions of the Act approved May 23, 1928 (Forty-fifth Statutes, page 719), and February 28, 1929 (Forty-fifth Statutes, page 1378), providing for the construction of a tablet or marker in commemoration of William Rufus King, former Vice President of the United States, the Secretary of War is authorized to do all things necessary to accomplish said purpose, by contract or otherwise, with or without advertising, under such conditions as he may prescribe, including the engagement, by contract, of services of such architects, sculptors, artists, or firms or partnerships thereof, and other technical and professional personnel as he may deem necessary without regard

to civil-service requirements and restrictions of law governing the employment and compensation of employees of the United States, and to spend in accordance with the provisions of this Act such sum of money as may be placed in his hands as a contribution additional to the funds appropriated by Congress.

Approved, May 21, 1930.

CHAP. 310.—An Act To provide for the erection of a marker or tablet to the memory of Colonel Benjamin Hawkins at Roberta, Georgia, or some other place in Crawford County, Georgia.

May 22, 1930.
[H. R. 10579.]
[Public, No. 243.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized and directed to erect a marker or tablet at Roberta, Georgia, or at some other place in Crawford County, Georgia, upon a site to be furnished without expense to the Federal Government, commemorating the life and public service of Colonel Benjamin Hawkins.

Colonel Benjamin Hawkins.
Tablet authorized at Roberta, Ga., commemorating life and public service of.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500, or so much thereof as may be necessary, to carry out the provisions of this Act.

Sum authorized.
Post, p. 910.

SEC. 3. That the plan and design of such memorial shall be subject to the approval of the National Commission of Fine Arts.

Plans, etc., subject to approval by Fine Arts Commission.
Title of site to vest in Roberta, Ga.

SEC. 4. The title to the land deemed appropriate for the site of this monument shall be vested in the city of Roberta, Georgia, and care of the site and monument shall be without expense to the Federal Government.

No Federal expense.

Approved, May 22, 1930.

CHAP. 311.—An Act For the relief of retired and transferred members of the Naval Reserve Force, Naval Reserve, and Marine Corps Reserve.

May 23, 1930.
[S. 548.]
[Public, No. 244.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the assignments of provisional ranks, grades, or ratings heretofore made to members of the Naval Reserve Force or Marine Corps Reserve, including the assignments of higher provisional ranks, grades, or ratings than those first assigned, are hereby validated and shall be conclusive for all purposes, from the dates of such assignments. The transfers to the retired list of all members of the Naval Reserve Force or Marine Corps Reserve heretofore made in the provisional ranks or grades held at the date of their retirement are hereby validated and shall be conclusive for all purposes.

Naval Reserve Force and Marine Corps Reserve.
Assignments of provisional ranks, etc., to members of, validated.

Transfers to retired list, made in provisional ranks, etc., validated.

SEC. 2. All transfers of enlisted men of the Navy or Marine Corps to the Fleet Naval Reserve or Fleet Marine Corps Reserve created by the Acts of August 29, 1916, and February 28, 1925, and all transfers of members of the Fleet Naval Reserve or Fleet Marine Corps Reserve to the retired list heretofore or hereafter made by the Navy Department shall be conclusive for all purposes, and all men so transferred shall from date of transfer be entitled to pay and allowances in accordance with their ranks or rating and length of service as determined by the Navy Department at time of transfer.

Transfers of enlisted men to Reserves, etc., by Navy Department conclusive.

Approved, May 23, 1930.