

THE
STATUTES AT LARGE

OF THE
UNITED STATES OF AMERICA

FROM
DECEMBER, 1923, TO MARCH, 1925

CONCURRENT RESOLUTIONS OF THE TWO HOUSES OF CONGRESS
AND
RECENT TREATIES, CONVENTIONS, AND EXECUTIVE
PROCLAMATIONS

EDITED, PRINTED, AND PUBLISHED BY AUTHORITY OF CONGRESS
UNDER THE DIRECTION OF THE SECRETARY OF STATE

VOL. XLIII

IN TWO PARTS

PART 1—Public Acts and Resolutions
**PART 2—Private Acts and Resolutions, Concurrent Resolutions,
Treaties, and Proclamations**

PART 1

WASHINGTON
GOVERNMENT PRINTING OFFICE
1925

Inclusion of other places.

have power by regulation to include other places than creameries, or receiving stations, under the provisions of this section, from time to time, as may be necessary in his judgment.

Receiving milk from other than a licensee forbidden.

SEC. 18. That no person in the District of Columbia licensed under this Act shall receive any milk or cream from any source until he shall have first ascertained from the health department that the person from whom such milk is obtained holds a license from the health officer of said District to send milk or cream into the District of Columbia.

Punishment for violations.

SEC. 19. That any person or persons violating any of the provisions of this Act, or of any of the regulations promulgated hereunder, shall, on conviction, be punished for the first offense by a fine of not more than \$10; for the second offense by a fine of not more than \$50, and for any subsequent offenses within one year, a fine of not more than \$500, or by imprisonment in the workhouse for not more than thirty days, or by both such fine and imprisonment, in the discretion of the court, and in addition any license issued under authority of this Act may be revoked. Prosecutions hereunder shall be in the police court by the District of Columbia.

Prosecutions in police court.

Inconsistent laws repealed.
Vol. 28, p. 706, repealed.

SEC. 20. That all Acts and parts of Acts inconsistent with the foregoing be, and the same are hereby, repealed.

Approved, February 27, 1925.

February 27, 1925.
[H. R. 5726.]
[Public, No. 497.]

CHAP. 359.—An Act To amend the Act of Congress of March 3, 1921, entitled "An Act to amend section 3 of the Act of Congress of June 28, 1906, entitled 'An Act of Congress for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes.' "

Osage Indians, Okla. Quarterly payments to competent adult members, from income.

Vol. 41, p. 1250, amended.

Payment of \$1,000 if without competency certificate.

To legal guardians of incompetents.

To parents, etc., of minors \$1,000 if above 18 years, and \$500 if under.

Rentals, etc., in addition.

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 shall cause to be paid at the end of each fiscal quarter to each adult member of the Osage Tribe of Indians in Oklahoma having a certificate of competency, his or her pro rata share, either as a member of the tribe or heir or devisee of a deceased member, of the interest on trust funds, the bonus received from the sale of oil or gas leases, the royalties therefrom, and any other moneys due such Indian received during each fiscal quarter, including all moneys received prior to the passage of this Act and remaining unpaid; and so long as the accumulated income is sufficient the Secretary of the Interior shall cause to be paid to the adult members of said tribe not having a certificate of competency \$1,000 quarterly, except where such adult members have legal guardians, in which case the amounts provided for herein may be paid to the legal guardian or direct to such Indian in the discretion of the Secretary of the Interior the total amounts of such payments, however, shall not exceed \$1,000 quarterly except as hereinafter provided; and shall cause to be paid for the maintenance and education, to either one of the parents or legal guardians actually having personally in charge, enrolled or unenrolled, minor member under twenty-one years of age, and above eighteen years of age, \$1,000 quarterly out of the income of each of said minors, and out of the income of minors under eighteen years of age, \$500 quarterly, and so long as the accumulated income of the parent or parents of a minor who has no income or whose income is less than \$500 per quarter is sufficient, shall cause to be paid to either of said parents having the care and custody of such minor \$500 quarterly, or such proportion thereof as the income of such minor may be less than \$500, in addition to the allowances above provided for such parents. Rentals due such adult members from their lands and their minor children's lands and all income from such adults'

investments shall be paid to them in addition to the allowance above provided. All payments to legal guardians of Osage Indians shall be expended subject to the joint approval in writing of the court and the superintendent of the Osage Agency. All payments to adults not having certificates of competency, including amounts paid for each minor, shall, in case the Secretary of the Interior finds that such adults are wasting or squandering said income, be subject to the supervision of the superintendent of the Osage Agency: *Provided*, That if an adult member, not having a certificate of competency so desires, his entire income accumulating in the future from the sources herein specified may be paid to him without supervision, unless the Secretary of the Interior shall find, after notice and hearing, that such member is wasting or squandering his income, in which event the Secretary of the Interior shall pay to such member only the amounts hereinbefore specified to be paid to adult members not having certificates of competency. The Secretary of the Interior shall invest the remainder, after paying the taxes of such members, in United States bonds, Oklahoma State bonds, real estate, first mortgage real estate loans not to exceed 50 per centum of the appraised value of such real estate, and where the member is a resident of Oklahoma such investment shall be in loans on Oklahoma real estate, stock in Oklahoma building and loan associations, livestock, or deposit the same in banks in Oklahoma, or expend the same for the benefit of such member, such expenditures, investments, and deposits to be made under such restrictions, rules, and regulations as he may prescribe: *Provided*, That the Secretary of the Interior shall not make any investment for an adult member without first securing the approval of such member of such investment: *Provided further*, That at the beginning of each fiscal year there shall first be reserved and set aside, out of Osage tribal funds available for that purpose, a sufficient amount of money for the expenditures authorized by Congress out of Osage funds for that fiscal year. No guardian shall be appointed except on the written application or approval of the Secretary of the Interior for the estate of a member of the Osage Tribe of Indians who does not have a certificate of competency or who is of one-half or more Indian blood. All moneys now in the possession or control of legal guardians heretofore paid to them in excess of \$4,000 per annum each for adults and \$2,000 each for minors under the Act of Congress of March 3, 1921, relating to the Osage Tribe of Indians, shall be returned by such guardians to the Secretary of the Interior, and all property, bonds, securities, and stock purchased, or investments made by such guardians out of said moneys paid them shall be delivered to the Secretary of the Interior by them, to be held by him or disposed of by him as he shall deem to be for the best interest of the members to whom the same belongs. All bonds, securities, stocks, and property purchased and other investments made by legal guardians shall not be subject to alienation, sale, disposal, or assignment without the approval of the Secretary of the Interior. Any indebtedness heretofore lawfully incurred by guardians shall be paid out of the funds of the members for whom such indebtedness was incurred by the Secretary of the Interior. All funds other than as above mentioned, and other property heretofore or hereafter received by a guardian of a member of the Osage Tribe of Indians, which was theretofore under the supervision and control of the Secretary of the Interior or the title to which was held in trust for such Indian by the United States, shall not thereby become divested of the supervision and control of the Secretary of the Interior or the United States be relieved of its trust; and such guardian shall not sell, dispose of or otherwise encumber such fund or property without the approval of the Secre-

Approval of expenditures by guardians.

Supervision of payments to incompetents.

Proviso.
Entire future income to incompetents.

Exception.

Investment of remainder, after paying taxes, etc.

No investment without consent.

Amount reserved for annual expenditures.

Appointment, etc., of guardians.

Excess moneys, etc., to be returned to Secretary.

Alienation of property investments restricted.

Authority over property in possession of guardian.

Control vested in Osage agency superintendent on death, etc., of guardian.

Accounting to be filed.

Transfer of property.

Acceptance.

Suit if no settlement made.

Payments to estates, etc., of restricted Indians.

Administration expenses allowed.

Devised lands inalienable unless approved by the Secretary.

Restriction on liens, etc.

Revocation of competency certificates for cause.

Supervision of income.

tary of the Interior, and in accordance with orders of the county court of Osage County, Oklahoma. In case of the death, resignation, or removal from office of such a guardian, the funds and property in his possession subject to supervision and control of the Secretary of the Interior or to which the United States held the title in trust shall be immediately delivered to the superintendent of the Osage Agency, to be held by him and supervised or invested as hereinbefore provided. Within thirty days after the passage of this Act such guardian shall render and file with the Secretary of the Interior or the superintendent of the Osage Agency a complete accounting, fully itemized, under oath, for the funds so paid to him and pay to the said Secretary or superintendent any and all moneys in his hands at the time of the passage of this Act, which have been paid him in excess of \$4,000 per annum each for adults and \$2,000 each for minors. The said guardian shall at the same time tender to said Secretary or superintendent all property of whatsoever kind in his possession at the time of the passage of this Act, representing the investment by him of said funds. The Secretary or superintendent is hereby authorized to accept such property or any part thereof at the price paid therefor by said guardian for the benefit of the ward of such guardian, if in his judgment he deems it advisable, and to make such settlement with such guardian as he deems best for such ward. Failing to make satisfactory settlement with said guardian as to said investments or any part thereof, the Secretary is authorized to bring such suit or suits against said guardian, his bond, and other parties in interest as he may deem necessary for the protection of the interests of the ward and may bring such action in any State court of competent jurisdiction or in the United States district court for the district in which said guardian resides.

SEC. 2. All funds of restricted Osage Indians of one-half or more Osage Indian blood inherited by or bequeathed to them accruing to their credit and which are subject to supervision as above provided may, when deemed to be for the best interest of such Indians, be paid to the administrators of the estates of deceased Osage Indians or direct to their heirs, or devisees, in the discretion of the Secretary of the Interior, under regulations to be promulgated by him. The Secretary of the Interior shall pay to administrators and executors of estates of such deceased Osage Indians a sufficient amount of money out of said 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 he shall pay the costs and expenses of such heirs or devisees, including attorneys' fees, when approved by him, in the determination of heirs or contest of wills.

SEC. 3. Lands devised to members of the Osage Tribe of one-half or more Indian blood or who do not have certificates of competency, under wills approved by the Secretary of the Interior, and lands inherited by such Indians, shall be inalienable unless such lands be conveyed with the approval of the Secretary of the Interior. Property of Osage Indians not having certificates of competency purchased as hereinbefore set forth shall not be subject to the lien of any debt, claim, or judgment except taxes, or be subject to alienation, without the approval of the Secretary of the Interior.

SEC. 4. Whenever the Secretary of the Interior shall find that any member of the Osage Tribe of more than one-half Indian blood, to whom has been granted a certificate of competency, is squandering or misusing his or her funds, he may revoke such certificate of competency after notice and hearing in accordance with such rules and regulations as he may prescribe, and thereafter the income of such member shall be subject to supervision and investment as herein

provided for members not having certificates of competency to the same extent as if a certificate of competency had never been granted: *Provided*, That all just indebtedness of such member existing at the time his certificate of competency is revoked shall be paid by the Secretary of the Interior, or his authorized representative, out of the income of such member, in addition to the quarterly income hereinbefore provided for: *And provided further*, That such revocation or cancellation of any certificate of competency shall not affect the legality of any transactions theretofore made by reason of the issuance of any certificate of competency.

Proviso.
Payment of indebtedness.

Legality of prior transactions not affected.

SEC. 5. No person convicted of having taken, or convicted of causing or procuring another to take, the life of an Osage Indian shall inherit from or receive any interest in the estate of the decedent, regardless of where the crime was committed and the conviction obtained.

No inheritance to person taking life of an Osage Indian.

SEC. 6. No contract for debt hereafter made with a member of the Osage Tribe of Indians not having a certificate of competency, shall have any validity, unless approved by the Secretary of the Interior. In addition to the payment of funds heretofore authorized, the Secretary of the Interior is hereby authorized in his discretion to pay, out of the funds of a member of the Osage Tribe not having a certificate of competency, any indebtedness heretofore or hereafter incurred by such member by reason of his unlawful acts of carelessness or negligence.

Approval of contracts made by incompetents.

Incurred indebtedness to be paid.

SEC. 7. Hereafter none but heirs of Indian blood shall inherit from those who are of one-half or more Indian blood of the Osage Tribe of Indians any right, title, or interest to any restricted lands, moneys, or mineral interests of the Osage Tribe: *Provided*, That this section shall not apply to spouses under existing marriages.

Inheritance restriction.

Proviso.
Exception.

Approved, February 27, 1925.

CHAP. 360.—An Act To provide for the completion of the topographical survey of the United States.

February 27, 1925.
[H. R. 4522.]
[Public, No. 498.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and hereby is, authorized to complete, within a period of twenty years from the date of the passage of this Act, a general utility topographical survey of the territory of the United States, including adequate horizontal and vertical control, and the securing of such topographic and hydrographic data as may be required for this purpose, and the preparation and publication of the resulting maps and data: *Provided*, That in carrying out the provisions of this Act the President is authorized to utilize the services and facilities or such agency or agencies of the Government as now exist, or may hereafter be created, and to allot to them (in addition to and not in substitution for other funds available to such agencies under other appropriations or from other sources) funds from the appropriation herein authorized, or from such appropriation or appropriations as may hereafter be made for the purpose of this Act.

Topographical survey of United States. Completion of, in 20 years, authorized.

Maps to be published.
Proviso.
Agencies to be utilized.

SEC. 2. That the agencies which may be engaged in carrying out the provisions of this Act are authorized to enter into cooperative agreements with and to receive funds made available by any State or civic subdivision for the purpose of expediting the completion of the mapping within its borders.

Cooperative agreements with States and funds from, authorized.

SEC. 3. The sum of \$950,000 is hereby authorized to be appropriated out of any moneys in the Treasury not otherwise appropri-

Amount authorized for expenses.