

[CHAPTER 206]

AN ACT

To authorize the purchase of certain lands adjacent to the Turtle Mountain Indian Agency in the State of North Dakota.

May 24, 1940  
[S. 1036]  
[Public, No. 520]

*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 be, and he is hereby, authorized to purchase privately owned lands and improvements within and adjacent to the Turtle Mountain Reservation, North Dakota, title to be taken in the United States of America in trust for the Indians of the Turtle Mountain Reservation. For the purpose of making the purchases herein authorized, the Secretary of the Interior is hereby authorized to use any available funds heretofore or hereafter appropriated pursuant to the authority contained in section 5 of the Act of June 18, 1934 (48 Stat. 984): *Provided*, That title to the land so purchased may, in the discretion of the Secretary of the Interior, be taken for the surface only: *Provided further*, That lands purchased under this authority shall not be allotted in severalty.

Turtle Mountain Reservation, N. Dak. Purchase of lands, etc., for benefit of Indians.

25 U. S. C. § 465.

*Provisos.*  
Title to the land.

No allotments in severalty.

SEC. 2. For the purpose of this Act, the Indians of the Turtle Mountain Reservation shall include the following: (1) All Indians carried on the official census of the Turtle Mountain Reservation as of the date of this Act; (2) all unenrolled Indians who were members of the band or bands which constituted the Turtle Mountain Tribe prior to October 8, 1904, but who failed to apply for enrollment on the roll closed on that date, and their descendants of one-half or more Indian blood. The roll of Turtle Mountain Indians as defined in this Act shall be prepared under the direction of the Secretary of the Interior and shall be kept current by striking the names of deceased persons and adding the names of Indians of one-fourth or more Indian blood who are descendants of persons enrolled on said roll: *Provided*, That Turtle Mountain Indians domiciled in Canada shall not be included.

Indians of Turtle Mountain Reservation.

Persons included, for purpose of Act.

*Proviso.*  
Persons excluded.

Approved, May 24, 1940.

[CHAPTER 209]

AN ACT

To provide for the appointment of additional district and circuit judges.

May 24, 1940  
[H. R. 7079]  
[Public, No. 521]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is authorized to appoint, by and with the advice and consent of the Senate, three additional circuit judges as follows:

U. S. courts. Additional circuit judges.

- (a) One for the sixth circuit;
- (b) Two for the eighth circuit.

SEC. 2. The President is authorized to appoint, by and with the advice and consent of the Senate, eight additional district judges, as follows:

Additional district judges.

(a) One for each of the following districts: District of New Jersey, western district of Oklahoma, eastern district of Pennsylvania, southern district of New York, northern district of Illinois, and the northern district of Georgia: *Provided*, That the first vacancy occurring in the office of district judge in each of said districts shall not be filled.

*Proviso.*  
Certain vacancies not to be filled.