

Certificate of deposit, filing.

Additional deposit.

Holding of general deposits.

Substitution of securities.

*Proviso.*  
Character of portion of deposit.

Maintenance of value of deposit.

"In the case of a deposit made with an official outside the District, a certificate of deposit from said official shall be filed with the superintendent, showing the character of the deposit, before a certificate of authority to transact business in the District may be issued, and, if the securities so deposited are not of the class authorized by this Act for investments of companies, the superintendent may require an additional deposit in approved securities.

"SEC. 17. HOLDING OF GENERAL DEPOSITS BY DISTRICT AUDITOR AND SECRETARY TO BOARD OF COMMISSIONERS.—When any company is required by this Act to make a deposit in the District, such deposit shall be in securities of the class authorized by this Act for investments of companies, and shall be delivered by the company to the secretary of the Board of Commissioners of the District and the auditor of the District, who shall receive and hold the same subject to the lawful orders of the superintendent, and who shall be responsible for the safekeeping of all securities deposited or delivered under the authority of this section. The company shall have the right to collect the income on deposited securities so long as it continues solvent and complies with the laws of the United States and of the District, and it shall have the right to substitute for such securities other securities, provided such substituted securities are of the character, amount, and value required by this section, and are approved by the superintendent: *Provided*, That not less than \$25,000 of such deposit shall at all times consist of bonds or other evidences of indebtedness of the United States or of any State of the United States, or of any county or incorporated city of any State of the United States, and that securities of a class different from such bonds or other evidences of indebtedness shall not in any case be accepted for deposit except with the specific approval of and at values determined by the superintendent.

"If the value of securities deposited by any company shall decline, the superintendent may require the company to make a further deposit, in order that the amount and value of the deposit required by this Act shall at all times be maintained."

Approved, May 20, 1940.

[CHAPTER 205]

AN ACT

To amend the Mount Rushmore Memorial Act of 1938.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 4 of the Mount Rushmore Memorial Act of 1938, approved June 15, 1938, is amended as follows:

Strike out the words "fifteen hundred acres" and insert in lieu thereof the words "eighteen hundred acres: *Provided*, That while appropriations necessary to complete the Memorial as authorized by law may be made, no part of any funds appropriated to the Rushmore Memorial Commission may be used for the development of the three hundred acres herein proposed to be added to the Memorial Reserve and no part of any funds appropriated under any Act may be used to pay a royalty or percentage to the sculptor for any work other than that necessarily incident to the sculpturing project."

Approved, May 22, 1940.

May 22, 1940  
[H. R. 8357]  
[Public, No. 519]

Mount Rushmore  
National Memorial,  
S. Dak.  
52 Stat. 694.

Area enlarged.  
*Proviso.*  
Restrictions on use  
of funds.

[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.