

knowledge, shall be guilty of a violation of this Act, and, in addition thereto, shall have his license revoked and shall be ineligible to act as a licensed guide for a period of five years from the time of his conviction therefor, or, of the establishment to the satisfaction of the Commission of definite proof of such offense."

Approved, June 25, 1938.

Penalty.

[CHAPTER 687]

AN ACT

To provide for conveying to the State of North Dakota certain lands within Burleigh County within that State for public use.

June 25, 1938
[H. R. 7868]

[Public, No. 729]

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 grant and convey to the State of North Dakota, for public use, fee-simple title to the lands and improvements thereon comprising the Bismarck Indian School buildings and grounds: *Provided*, That in consideration of this conveyance the State of North Dakota shall convey to the United States in trust for such Indian tribes as may be designated at the time of conveyance by the Secretary of the Interior, lands (and improvements thereon, if any) situated convenient to existing Indian reservations and suitable for agricultural and stockraising purposes: *Provided further*, That the land and improvements conveyed to the United States shall in value be equal to the value of the property conveyed by the United States to the State of North Dakota: *And provided further*, That the conveyance by the United States to the State of North Dakota shall protect existing easements or rights-of-way across the Indian school property.

State of North Dakota.
Conveyance of lands to, for public use.

Proviso.
Conveyance of lands to United States in trust.

Value of property conveyed.

Protection of existing easements, etc., across Indian school property.

Appraisal.

SEC. 2. Prior to the conveyance of any land or improvements, as herein authorized, the Secretary of the Interior shall cause an appraisal thereof to be made by an appraisal committee consisting of a representative of the Commissioner of Indian Affairs, a representative of the General Land Office, and a third person satisfactory to the Secretary of the Interior, to be appointed by the Governor of the State of North Dakota.

Approved, June 25, 1938.

[CHAPTER 688]

AN ACT

Authorizing the disbursement of funds appropriated for compensation of help for care of material, animals, armament, and equipment in the hands of the National Guard of the several States, Territories, and the District of Columbia, and for other purposes.

June 25, 1938
[H. R. 9721]

[Public, No. 730]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That moneys hereafter appropriated under the provisions of the National Defense Act, as amended, for compensation of help for care of material, animals, armament, and equipment in the hands of the National Guard of the several States, Territories, and the District of Columbia shall be available for the hire of caretakers who may also perform clerical duties incidental to their employment, and such moneys may be used as supplemental to money appropriated by the several States, Territories, and the District of Columbia for the support of the National Guard: *Provided*, That nothing herein contained shall be construed to prevent the utilization of the services of such caretakers on duties other than

National Guard.
Availability of designated funds.
39 Stat. 166.

Caretakers, duties.

Proviso.
Other duties.

those indicated above, if such additional services do not interfere with the complete performance of the duties for which they are employed under the provisions of this Act: *Provided further*, That payments heretofore made for said help which now stand disallowed or would hereafter be disallowed but for this Act are hereby ratified and validated as to the disbursing officers making the same in such amounts only as are approved by the Secretary of War, whose determination shall be final and conclusive, and the Comptroller General of the United States is hereby directed to allow credit in the accounts of said disbursing officers for and on account of such payments in said amounts: *And provided further*, That nothing herein shall be construed to prevent the collection from the personnel concerned of any amounts determined by the Secretary of War to be due the United States.

Approved, June 25, 1938.

[CHAPTER 689]

AN ACT

To amend an Act approved June 14, 1906 (34 Stat. 263), entitled "An Act to prevent aliens from fishing in the waters of Alaska."

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 approved June 14, 1906 (34 Stat. 263), entitled "An Act to prevent aliens from fishing in the waters of Alaska", is amended to read as follows:

"That it shall be unlawful for any person not a citizen of the United States, or who has declared his intention to become a citizen of the United States, and is not a bona fide resident therein, or for any company, corporation, or association not organized or authorized to transact business under the laws of any State, Territory, or district thereof, or for any person not a native of Alaska, to catch or kill, or attempt to catch or kill, except with rod, spear, or gaff, any fish of any kind or species whatsoever in any of the waters of Alaska under the jurisdiction of the United States: *Provided, however*, That nothing contained in this Act shall prevent those lawfully taking fish in the said waters from selling the same, fresh or cured, in Alaska or in Alaskan waters, to any alien person, company, or vessel then being lawfully in said waters: *Provided further*, That nothing contained in this Act shall prevent any person, firm, corporation, or association lawfully entitled to fish in the waters of Alaska from employing as laborers any aliens who can now be lawfully employed under the existing laws of the United States, either at stated wages or by piece-work, or both, in connection with the canning, salting, or otherwise preserving of fish: *Provided further*, That any person owing allegiance to the United States shall not be considered an alien for the purposes of this Act: *And provided further*, That any person who is a bona fide resident of Alaska and has been such a resident for the period of three consecutive years prior to the date of approval of this Act, and who during such three-year period has been continuously or seasonally engaged in fishing in the waters of Alaska for commercial purposes, may continue to engage in fishing in the waters of Alaska for commercial purposes for the period of three years after the date of the approval of this Act, although not a citizen of the United States."

Approved, June 25, 1938.

Validation of pay-
ments for help.

Collection of
amounts due the
United States from
personnel concerned.

June 25, 1938
[H. R. 10432]
[Public, No. 731]

Alaska.
34 Stat. 263.
48 U. S. C. § 243.

Fishing by aliens,
except with rod, spear,
etc., unlawful.

Provisos.
Sale of fish to aliens,
etc.

Employment of
aliens.

Persons owing alle-
giance not considered
aliens.
Status of bona fide
residents for three con-
secutive years.