

Ascertainment of legal heirs.  
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Provisos.  
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Benefit of allottee.  
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Competency certifies.

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Indemnity bond from bank.

vided, the Secretary of the Interior, upon notice and hearing, under such rules as he may prescribe, shall ascertain the legal heirs of such decedent, and his decision thereon shall be final and conclusive. If the Secretary of the Interior decides the heir or heirs of such decedent competent to manage their own affairs, he shall issue to such heir or heirs a patent in fee for the allotment of such decedent; if he shall decide one or more of the heirs to be incompetent, he may, in his discretion, cause such lands to be sold: *Provided*, That if the Secretary of the Interior shall find that the lands of the decedent are capable of partition to the advantage of the heirs, he may cause the shares of such as are competent, upon their petition, to be set aside and patents in fee to be issued to them therefor. All sales of lands allotted to Indians authorized by this or any other Act shall be made under such rules and regulations and upon such terms as the Secretary of the Interior may prescribe, and he shall require a deposit of 10 per centum of the purchase price at the time of the sale. Should the purchaser fail to comply with the terms of sale prescribed by the Secretary of the Interior, the amount so paid shall be forfeited; in case the balance of the purchase price is to be paid on such deferred payments, all payments made, together with all interest paid on such deferred installments, shall be so forfeited for failure to comply with the terms of the sale. All forfeitures shall inure to the benefit of the allottee or his heirs. Upon payment of the purchase price in full the Secretary of the Interior shall cause to be issued to the purchaser patent in fee for such land: *Provided*, That the proceeds of the sale of inherited lands shall be paid to such heir or heirs as may be competent and held in trust subject to use and expenditure during the trust period for such heir or heirs as may be incompetent as their respective interests shall appear: *Provided further*, That the Secretary of the Interior is hereby authorized, in his discretion, to issue a certificate of competency, upon application therefor, to any Indian, or in case of his death to his heirs, to whom a patent in fee containing restrictions on alienation has been or may hereafter be issued, and such certificate shall have the effect of removing the restrictions on alienation contained in such patent: *Provided further*, That hereafter any United States Indian agent, superintendent, or other disbursing agent of the Indian Service may deposit Indian moneys, individual or tribal, coming into his hands as custodian, in such bank or banks as he may select: *Provided*, That the bank or banks so selected by him shall first execute to the said disbursing agent a bond, with approved surety, in such amount as will properly safeguard the funds to be deposited. Such bonds shall be subject to the approval of the Secretary of the Interior."

Approved, April 30, 1934.

## [CHAPTER 170.]

## AN ACT

Regulating procedure in criminal cases in the courts of the United States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That no plea to abate nor motion to quash any indictment upon the ground of irregularity in the drawing or impaneling of the grand jury or upon the ground of disqualification of a grand juror shall be sustained or granted unless such plea or motion shall have been filed before, or within ten days after, the defendant filing such plea or motion is presented for arraignment; and from the time such plea or motion is filed and until the termination of the first term of said court beginning subsequent to the final judgment on such plea or motion and

April 30, 1934.

[H. R. 7748.]

[Public, No. 180.]

Criminal procedure,  
United States courts.  
Pleas attacking indictments.  
Time for filing, when based on jury irregularities.

during which a grand jury thereof shall be in session, no statute of limitations shall operate to bar another indictment of any defendant filing such plea or motion, or of any other defendant or defendants included in the indictment to which such plea or motion is directed, for the offense or offenses therein charged.

Running of statute of limitations barred.

SEC. 2. No plea to abate nor motion to quash any indictment, upon the ground that one or more unqualified persons served upon the grand jury finding such indictment, shall be sustained if it appears that twelve or more jurors, after deducting the number so disqualified, concurred in the finding of said indictment: *Provided, however,* That no juror shall be permitted to testify, in this connection, as to whether he or any other individual juror voted for or against the finding of such indictment, but it shall be the duty of the foreman of each grand jury to keep a record of the number of grand jurors concurring in the finding of any indictment and to file such record with the clerk of the court at the time the indictment is returned. Such record shall not be made public except on order of the court.

Disqualification of jurors as grounds for invalidating indictment.

*Proviso.*  
Confidential character of juror's vote.

Record of foreman.

SEC. 3. That this Act shall be applicable to the district courts of the United States, including the district courts of Alaska, Hawaii, Puerto Rico, and the Virgin Islands, and to the Supreme Court of the District of Columbia.

Applicability of Act.

Approved, April 30, 1934.

[CHAPTER 171.]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Columbia River near The Dalles, Oregon.

April 30, 1934.  
[H. R. 7060.]  
[Public, No. 181.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of a bridge across the Columbia River near The Dalles, Oregon, authorized to be built by The Dalles Bridge Company, a Washington corporation, by the Act of Congress approved March 4, 1933, are hereby extended one and three years, respectively, from March 4, 1934.

Columbia River.  
Time extended for bridging, near The Dalles, Oreg.  
Vol. 47, p. 1552.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, April 30, 1934.

[CHAPTER 172.]

AN ACT

For the inclusion of certain lands in the national forests in the State of Idaho, and for other purposes.

April 30, 1934.  
[H. R. 7425.]  
[Public, No. 182.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provisions of the Act entitled "An Act to consolidate national forest lands", approved March 20, 1922 (U.S.C., title 16, sec. 485), are extended and made applicable to the following-described lands in the State of Idaho:

National forests.  
Certain lands in Idaho to be added to.  
Vol. 42, p. 465; U.S.C., p. 420.

Sections 5, 6, 7, and 8, township 40 north, range 1 west.  
Sections 1, 2, 3, 11, and 12; section 10, except the southwest quarter northwest quarter and the west half southwest quarter, township 40 north, range 2 west.

Description.

Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 16, 17, and 18; section 15, except the south half southwest quarter; north half northeast quarter, southwest quarter northeast quarter, northwest quarter, and the north half southwest quarter section 19; northeast quarter, east half north-