

## Public Law 461

## CHAPTER 435

June 30, 1954  
[H. R. 3413]

## AN ACT

To grant oil and gas in lands and to authorize the Secretary of the Interior to issue patents in fee on the Fort Peck Indian Reservation, Montana, to individual Indians in certain cases.

Fort Peck Indian  
 Reservation, Mont.  
 Oil and gas  
 grants.

Lieu allotments.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the oil and gas in land located within the Fort Peck Indian Reservation, Montana, allotted on or after March 3, 1927, which is now reserved to the Indians having tribal rights on such reservation by the first section of the Act of March 3, 1927 (44 Stat. 1401), relating to oil and gas in certain tribal lands within the Fort Peck Indian Reservation, Montana, is hereby granted to the allottee of such lands, or, if such Indian is deceased, to his heirs or devisees: *Provided*, That if the allottee or his heirs or devisees, relinquished such allotment and received a lieu allotment of other lands in the said reservation or transferred title to such allotment to the Fort Peck Tribe and, in exchange therefor, received an assignment of the same or other lands in the said reservation, the oil and gas hereby granted shall be only that in the land in the lieu allotment or the exchange assignment, as the case may be.

SEC. 2. If on or after March 3, 1927, the allottee or his heirs or devisees, relinquished an allotment made prior to March 3, 1927, and received a lieu allotment of other lands in the said reservation or transferred title to such allotment to the Fort Peck Tribe and, in exchange therefor, received an assignment of the same or other lands

in the said reservation, the oil or gas in the land in such lieu allotment or such exchange assignment is hereby granted to the holder of the lieu allotment or the exchange assignment, as the case may be, unless the allottee or his heirs or devisees reserved the oil and gas in the lands transferred or relinquished.

SEC. 3. Title to the oil and gas granted by this Act shall be held in trust by the United States for the Indian owners, except where the entire interest in the oil and gas is granted to Indians to whom a fee patent for any land within the Fort Peck Indian Reservation has heretofore been issued, in which event the unrestricted fee simple title is hereby granted to the Indian owner, and except where the entire interest in the oil and gas is hereafter held for Indians to whom a fee patent for any land within said reservation has heretofore or hereafter been issued or who are determined by the Secretary of the Interior to be competent to manage their own affairs, in which event the unrestricted fee simple title shall be transferred to the Indian owner by the Secretary.

Title and fee patents.

SEC. 4. If the Secretary of the Interior determines that the entire interest in land, including land held under an exchange assignment, on the Fort Peck Indian Reservation is owned by Indians who are the grantees of oil and gas under this Act and who are competent to manage their own affairs, he is authorized and directed to issue fee patents to them for such interest.

SEC. 5. No oil and gas lease which was entered into pursuant to the first section of the Act of March 3, 1927, which covers in whole or in part the lands referred to in sections 1 and 2 of this Act, and which is in effect on the date of enactment of this Act, shall be affected by reason of the enactment of this Act, except that any royalties and other moneys payable under such lease after such date of enactment, which are attributable to the oil and gas granted to an Indian by sections 1 or 2 of this Act shall be payable to such Indian, or if such Indian is deceased, to his heirs or devisees.

Oil and gas leases.

SEC. 6. This Act shall not apply to oil and gas in tribal land which, on the date of the enactment of this Act, is otherwise undisposed of.

Nonapplicability

SEC. 7. Any and all moneys collected by the tribes as advance rentals, bonus, and royalties of oil and gas leases after March 3, 1927, and prior to the transfer of said oil and gas rights pursuant to this Act to said individual Indians may also be paid by authority of said executive board to the individual Indians to whom said oil and gas rights are transferred pursuant to this Act.

Advance rentals, etc.

SEC. 8. The provisions of this Act shall not be effective unless approved in a referendum by a majority of the members of the Fort Peck Tribe actually voting therein: *Provided*, That the total vote cast shall not be less than 30 per centum of those entitled to vote. This referendum shall be conducted on not less than sixty days' notice under the direction of the Secretary of the Interior or his duly authorized representative.

Effectivity.

Approved June 30, 1954.