

1 be had within or in the vicinity of the reservation or Indian  
2 community where the offense was committed.

3 SEC. 10. In both civil and criminal causes, the right  
4 to trial by jury and all other procedural rights guaranteed  
5 by the Constitution of the United States shall be recognized  
6 and observed.

7 SEC. 11. In criminal cases the rules of evidence shall  
8 be those prevailing in criminal cases in the United States  
9 district courts. In civil cases the common law rules of  
10 evidence, including the rules governing competency of  
11 witnesses, shall prevail: *Provided, however,* That the court  
12 shall have the power to amend such rules by rule of court  
13 or judicial decision to make them conform as nearly as  
14 possible to modern changes evidenced by the statutes and  
15 decisions of the United States and the several States, and  
16 to adapt them, where necessary, to the solution of problems  
17 of proof peculiar to the cases before the court.

18 SEC. 12. The statutes and decisions of the several  
19 States, except where the Constitution, treaties, or statutes of  
20 the United States, or the charters or ordinances of Indian  
21 communities or orders of executive departments thereunder  
22 promulgated, otherwise require or provide, shall be regarded  
23 as rules of decision in all civil cases in the Court of Indian  
24 Affairs.