

<p><i>Provisos.</i> Examinations.</p>	<p>No fee unless service rendered.</p>	<p>Rating.</p>	<p>Disabilities to be fully described. Inspection of reports.</p>	<p>Pension attorneys, etc.</p>	<p>Penalty for receiving, etc., pay for securing special legislation.</p>	<p>Agents' salaries.</p>	<p>Clerk hire. <i>Proviso.</i> Apportionment.</p>	<p>Rent.</p>	<p>Stationery, fuel, etc.</p>	<p>Inspection of pension agencies. Vol. 22, p. 374. R. S., sec. 4766, p. 927.</p>	<p>nation of each applicant whenever five or a less number shall be examined on any one day, and one dollar for the examination of each additional applicant on such day: <i>Provided</i>, That if twenty or more applicants appear on one day, no fewer than twenty shall, if practicable, be examined on said day, and that if fewer examinations be then made, twenty or more having appeared, then there shall be paid for the first examinations made on the next examination day the fee of one dollar only until twenty examinations shall have been made: <i>Provided further</i>, That no fee shall be paid to any member of an examining board unless personally present and assisting in the examination of applicant: <i>And provided further</i>, That the report of such examining surgeons shall specifically state the rating which in their judgment the applicant is entitled to, and the report of such examining surgeons shall specifically and accurately set forth the physical condition of the applicant, each and every existing disability being fully and carefully described. The reports of the special examiners of the Bureau of Pensions shall be open to inspection and copy by the applicant or his attorney, under such rules and regulations as the Secretary of the Interior may prescribe: <i>And provided further</i>, That no pension attorney, claim agent, or other person shall be entitled to receive any compensation for services rendered in securing the introduction of a bill or the passage thereof through Congress granting pension or increase of pension; and any person who shall, directly or indirectly, contract for, demand, receive, or retain any compensation for such services shall be deemed guilty of an offense, and upon conviction thereof shall, for each and every such offense, be fined not exceeding five hundred dollars, or imprisoned not exceeding two years, or both, in the discretion of the court.</p> <p>For salaries of eighteen agents for the payment of pensions, at four thousand dollars each, seventy-two thousand dollars.</p> <p>For clerk hire, four hundred and thirty thousand dollars: <i>Provided</i>, That the amount of clerk hire for each agency shall be apportioned as nearly as practicable in proportion to the number of pensioners paid at each agency, and the salaries paid shall be subject to the approval of the Secretary of the Interior.</p> <p>For rents, ten thousand six hundred dollars.</p> <p>For stationery and other necessary expenses, including fuel and lights, thirty-five thousand dollars.</p> <p>For examination and inspection of pension agencies, as provided by the final provision of the Act of August eighth, eighteen hundred and eighty-two, amending section forty-seven hundred and sixty-six, Revised Statutes, two thousand five hundred dollars.</p>
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Approved, April 27, 1904.

April 27, 1904.  
[H. R. 8692.]  
[Public, No. 177.]

**CHAP. 1618.**—An Act To authorize the apprehension and detention of insane persons in the District of Columbia, and providing for their temporary commitment in the Government Hospital for the Insane, and for other purposes.

District of Columbia.  
Insane persons at large.  
Arrest and detention of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That any member of the Metropolitan police of the District of Columbia or any other officer in said District authorized to make arrests is hereby authorized and empowered to apprehend and detain, without warrant, any insane person or person of unsound mind found on any street, avenue, alley, or other public highway, or found in any public building or other public place within the District of Columbia; and it shall be the duty of the policeman or officer so apprehending or detaining any such person to immediately file his affidavit with the major and superintendent of said Metropolitan police that he believes said person to be insane or of unsound mind, incapable of taking care of himself or herself or his

or her property, and if permitted to remain at large or to go unrestrained in the District of Columbia the rights of persons and of property will be jeopardized or the preservation of public peace imperiled and the commission of crime rendered probable: *Provided, however,* That it shall be the duty of the major and superintendent of the said Metropolitan police to forthwith notify the husband or wife or some near relative or friend of the person so apprehended and detained whose address may be known to the said major and superintendent or whose address can by reasonable inquiry be ascertained by him.

*Proviso.*  
Notice to relatives.

SEC. 2. That the major and superintendent of said Metropolitan police is hereby authorized to order the apprehension and detention, without warrant, of any indigent person alleged to be insane or of unsound mind or any alleged insane person of homicidal or otherwise dangerous tendencies found elsewhere in the District of Columbia than in the places mentioned in section one hereof whenever two or more responsible residents of the District of Columbia shall make and file affidavits with said major and superintendent of the Metropolitan police setting forth that they believe the person therein named to be insane or of unsound mind, the length of time they have known such person, that they believe such person to be incapable of managing his or her own affairs, and that such person is not fit to be at large or to go unrestrained, and if such person is permitted to remain at liberty in the District of Columbia the rights of persons and of property will be jeopardized or the preservation of public peace imperiled and the commission of crime rendered probable, and that such person is a fit subject for treatment on account of his or her mental condition:

Arrest, etc., elsewhere, without warrant.

Affidavits as to insanity necessary.

*Provided, however,* That before the major and superintendent of the said Metropolitan police shall order the apprehension and detention of any person upon the affidavits of the aforesaid residents or in case of arrest as provided in section one, he shall, in addition thereto, require the certificate of at least two physicians who shall certify that they have examined the person alleged to be insane or of unsound mind, and that such person should not be allowed to remain at liberty and go unrestrained, and that such person is a fit subject for treatment on account of his or her mental condition.

*Proviso.*  
Certificates of physicians.

SEC. 3. That the Commissioners of the District of Columbia are hereby authorized to place in the Government Hospital for the Insane in said District, and the superintendent of said hospital is hereby authorized to receive, upon the written request of the said Commissioners, for a period of time not exceeding thirty days, indigent persons alleged to be insane or of unsound mind, residents of or found within the District of Columbia, and alleged insane persons of homicidal or otherwise dangerous tendencies, residents of or found within the said District, so apprehended and detained as provided in sections one and two of this Act, pending the formal commitment of such persons to said hospital as provided by law, or their transportation to their homes when their places of residence are ascertained by the proper officials charged by law with that duty.

Temporary detention at Government Hospital for Insane.

*Ante*, p. 316.

SEC. 4. That the Commissioners of the District of Columbia may authorize the temporary commitment of any of the above-mentioned insane persons or persons of unsound mind so apprehended and detained as provided in sections one and two of this Act (for a period of time not exceeding thirty days) in any other hospital in said District which, in the judgment of the health officer of said District, is properly constructed and equipped for the reception and care of such persons, and the official in charge of which, for the time being, is willing to receive such persons pending the temporary commitment or the formal commitment of such persons, as provided by law, to the Government Hospital for the Insane or to any other hospital or insane asylum; or any such alleged insane person or person of unsound mind apprehended under sections one and two of this Act may be detained in any police

Temporary commitment in other hospitals.

Detention in police stations, etc., pending formal commitment.

station or house of detention in said District pending the completion of arrangements for his or her temporary detention in the Government Hospital for the Insane or any other hospital or insane asylum; and such persons may be detained in any police station or house of detention in said District until formally committed to the Government Hospital for the Insane or any other hospital or asylum, in the manner provided by law, in case he or she can not be provided for by the said Government Hospital for the Insane and no arrangement can be made for his or her temporary detention in any other hospital or asylum: *Provided, however,* That if, pending the formal commitment of such alleged insane person or person of unsound mind to the Government Hospital for the Insane or to any other hospital or asylum, the superintendent of said Government Hospital for the Insane, in the case of the commitment of a person to said hospital under the provisions of this Act, or if two or more physicians in regular attendance at any other hospital or asylum where any person is committed under the provisions of this Act, or if two or more surgeons of the police and fire departments, in the case of any person detained at any police station house or house of detention under the provisions of this Act, shall certify in writing to the Commissioners of the District of Columbia that such person is not insane or that he or she has recovered his or her reason, the official in charge of the Government Hospital for the Insane or the hospital or asylum in which such person is confined, or the major and superintendent of said Metropolitan police, if such person be confined in a police station house or in a house of detention, shall discharge such alleged insane person or person of unsound mind forthwith and immediately report such action to the Commissioners of the District of Columbia.

*Proviso.*  
Discharge if delared  
sane.

Report.

Validity of certifi-  
cates.

SEC. 5. That for the purposes of this Act no certificate as to the sanity or the insanity of any person shall be valid which has been issued (a) by a physician who has not been regularly licensed to practice medicine in the District of Columbia, unless he be a commissioned surgeon of the United States Army, Navy, or Public Health and Marine-Hospital Service; or (b) by a physician who is not a permanent resident of the District of Columbia; or (c) by a physician who has not been actively engaged in the practice of his profession for at least three years; or (d) by a physician who is related by blood or by marriage to the person whose mental condition is in question. Nor shall any certificate alleging the insanity of any person be valid which has been issued by a physician who is financially interested in the hospital or asylum in which the alleged insane person is to be confined, or who is professionally or officially connected therewith.

Penalty for false  
testimony.

SEC. 6. That any person who makes an affidavit, as required by section one or two of this Act, by which he or she secures or attempts to secure the apprehension, detention, or restraint of any other person in the District of Columbia without probable cause for believing such person to be insane or of unsound mind, or any physician who knowingly makes any false certificate as to the sanity or insanity of any other person shall, upon conviction thereof, be fined not more than five hundred dollars or imprisoned not more than three years, or both.

Repeal.

SEC. 7. That all Acts and parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved, April 27, 1904.

**CHAP. 1619.**—An Act For the cession of one hundred and twenty acres of land to the Beecher Island Battle Memorial Association.

April 27, 1904.  
[H. R. 10101.]

[Public, No. 178.]

Whereas the Beecher Island Battle Memorial Association is desirous of making a park and erecting a monument thereon of the land upon which was fought a memorable battle between the scouts and frontiersmen on the one side and hostile Indians on the other: Now, therefore,

Preamble.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the northeast quarter of the northeast quarter and the northwest quarter of the northeast quarter and the southwest quarter of the northeast quarter of section twenty-one, township two south, range forty-three west of the sixth principal meridian, is hereby ceded to the Beecher Island Battle Memorial Association, a corporation incorporated and organized under and by virtue of the laws of the State of Colorado, for the purpose of a public park, and in the event that the same shall not be used for a public park for three successive years the same shall revert to the Government. Declaration of forfeiture under this Act may be declared by the Secretary of the Interior.

Public lands,  
Beecher Island  
Battle Memorial Association,  
Colorado.  
Lands ceded to, for  
public park.

Forfeiture.

SEC. 2. That the Secretary of the Interior is hereby authorized to issue to the Beecher Island Battle Memorial Association a patent for said land, subject to the qualification herein contained.

Patent.

Approved, April 27, 1904.

**CHAP. 1620.**—An Act To modify and amend an agreement with the Indians of the Devils Lake Reservation, in North Dakota, to accept and ratify the same as amended, and making appropriation and provision to carry the same into effect.

April 27, 1904.  
[H. R. 11128.]

[Public, No. 179.]

Whereas James McLaughlin, United States Indian inspector, did, on the second day of November, A. D. nineteen hundred and one, make and conclude an agreement with the male adult Indians of the Devils Lake Reservation, in the State of North Dakota, which said agreement is in words and figures as follows:

Preamble.  
Devils Lake Reservation,  
N. Dak.

This agreement made and entered on the second day of November, nineteen hundred and one, by and between James McLaughlin, U. S. Indian Inspector, on the part of the United States and the Sisseton, Wahpeton, and Cut-Head bands of the Sioux tribe of Indians belonging on the Devils Lake Reservation, in the State of North Dakota, witnesseth:

Agreement with  
Sioux Indians on, for  
cession of certain  
lands.

ARTICLE I. The said Indians belonging on the Devils Lake Indian Reservation, North Dakota, for the consideration hereinafter named, do hereby cede, surrender, grant, and convey to the United States all their claim, right, title, and interest in and to all that part of the Devils Lake Indian Reservation now remaining unallotted, including the tract of land at present known as the Fort Totten Military Reserve, situated within the boundaries of the said Devils Lake Indian Reservation, and being a part thereof; except six thousand one hundred and sixty (6,160) acres required for allotments to sixty-one Indians of said reservation entitled to allotments, but to whom allotments have not yet been made, said sixty-one allotments to be made by the United States under the provisions of the general allotment act of February 8, 1887, as amended February 28th, 1891.

Lands to be ceded.

ARTICLE II. In consideration of the land ceded, relinquished, and conveyed by Article I of this agreement, and in full of all claims and demands of said Indians of Devils Lake Reservation, North Dakota, arising or growing out of the erroneous survey of the western boundary of their reservation in eighteen hundred and seventy-five, whereby

Vol. 26, p. 794.

Price.