

May 29, 1908.

[H. R. 21735.]

[Public, No. 156.]

CHAP. 216. An Act To authorize the Secretary of the Interior to issue patents in fee to purchasers of Indian lands under any law now existing or hereafter enacted, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the lands, or any part thereof, allotted to any Indian, or any inherited interest therein, which can be sold under existing law by authority of the Secretary of the Interior, except the lands in Oklahoma, and the States of Minnesota and South Dakota may be sold on the petition of the allottee, or his heirs, on such terms and conditions and under such regulations as the Secretary of the Interior may prescribe; and the lands of a minor, or of a person deemed incompetent by the Secretary of the Interior to petition for himself, may be sold in the same manner, on the petition of the natural guardian in the case of infants, and in the case of Indians deemed incompetent as aforesaid, and of orphans without a natural guardian, on petition of a person designated for the purpose by the Secretary of the Interior. That when any Indian who has heretofore received or who may hereafter receive, an allotment of land dies before the expiration of the trust period, the Secretary of the Interior shall ascertain the legal heirs of such Indian, and if satisfied of their ability to manage their own affairs shall cause to be issued in their names a patent in fee simple for said lands; but if he finds them incapable of managing their own affairs, the land may be sold as hereinbefore provided: *Provided*, That the proceeds derived from all sales hereunder shall be used, during the trust period, for the benefit of the allottee, or heir, so disposing of his interest, under the supervision of the Commissioner of Indian Affairs: *And provided further*, That upon the approval of any sale hereunder by the Secretary of the Interior he shall cause a patent in fee to issue in the name of the purchaser for the lands so sold: *And provided further*; That nothing in section one herein contained shall apply to the States of Minnesota and South Dakota.

SEC. 2. That jurisdiction be, and hereby is, conferred upon the Court of Claims of the United States to hear, determine, and render final judgment, notwithstanding lapse of time or statute of limitation, for any balances found due, without interest, with the right of appeal as in other cases, upon the claims of H. W. Gilkey, Herman Hankwitz, Herman Hankwitz and Company, W. P. Cook and Brother, M. Wescott, J. A. Liege, assignee of J. F. Gauthier, F. F. Green and the heirs of Mitchell Mahchikaniew, traders, against the Menominee tribe of Indians in Wisconsin and against certain members of said tribe at the Green Bay Agency, for supplies, goods, wares, merchandise, tools, and live stock furnished certain members of the said tribe after the first day of January, in the year eighteen hundred and eighty, for the purpose of carrying on logging operations upon the Menominee Indian Reservation, in Wisconsin. Said claims shall be presented to said court by verified petitions to be filed within six months from the date of the approval of this Act. Said court shall, in rendering judgment, ascertain and determine the amount, if any, due upon each of said claims, and if the court find that there is a liability upon any of said claims, it shall then determine if such liability be that of the said Menominee tribe of Indians as a tribe or that of individual members of said tribe, and it shall render judgment for the amount, if any, found due from said tribe to any of said claimants, and it shall render judgment for the amounts, if any, found due from any of the individual members of said tribe to any of said claimants. Upon the rendition of final judgments, the court shall certify the same to the Secretary of the Interior, who shall thereupon, in case judgments be against the said Menominee tribe of Indians as a tribe, direct the payment of said judgments out of any funds in the Treasury of the United States to the credit of said tribe, and who, in case judgments be against individual

Indian allotments.
May be sold on petition of allottee.

Excepted lands.

Lands of minors,
etc.

Heirs to have fee
simple title.

Provisos.
Use of proceeds.

Patent to purchaser.

States excepted.

Menominee Indians, Wis.
Adjudication of certain claims against.
Jurisdiction.

Filing claims.

Judgments.

Payments.

members of said Menominee tribe of Indians, shall, through the disbursing officers in charge of said Green Bay Agency, pay, from any annuity due or which may become due said Indian as an individual or as the head of a family from the United States or from the share of such Indian as an individual or as the head of a family in any distribution of tribal funds deposited in the Treasury of the United States, the amounts of such judgments to the claimants in whose favor such judgments have been rendered: *Provided*, That not more than fifty per centum of the annuity due any such Indian as an individual or as the head of a family shall be applied to the payment of such judgments: *Provided, however*, That if more than one judgment be rendered against any such individual Indian and if fifty per centum of the annuity due such Indian as an individual or as the head of a family be not sufficient to discharge such judgments, such payment shall be made to the claimants in proportion to the amount of their respective judgments: *Provided further*, That in case fifty per centum of any annuity payment due any such Indian as an individual or as the head of a family be not sufficient to satisfy the judgment or judgments rendered against said Indian, then and in that case fifty per centum of subsequent annuity payments due said Indian as an individual and as the head of a family shall be applied to the payment of said judgments until the same be fully satisfied. The Menominee tribe of Indians, through its business committee, is authorized to employ an attorney or attorneys to defend the interests of said tribe and of the individual members of said tribe in any actions brought under the provisions of this Act, the compensation of such attorney or attorneys to be determined by the court, and for which attorneys' fees judgment shall be rendered, and upon its certification to the Secretary of the Treasury the amount of said judgment shall be paid to said attorney or attorneys out of any funds standing to the credit of said Menominee tribe of Indians in the Treasury of the United States.

SEC. 3. That the heirs of Cornplanter, a Seneca Indian chief, as ascertained by the orphan's court of Warren County, Pennsylvania, under act of the legislature of the State of Pennsylvania of May sixteenth, eighteen hundred and seventy-one, and their descendants are hereby authorized and empowered to bring suit for the recovery of the possession or the quieting of title of any lands granted individually to said Cornplanter, alias John O'Bial or Abeel, in the circuit court of the United States for the district in which such lands are situated, and jurisdiction is hereby conferred upon said courts, both in law and in equity, to hear and determine the rights of said Cornplanter under any grant made to him. Any petition filed or other court papers may be verified by the attorneys representing said heirs or their duly authorized attorneys in fact.

SEC. 4. That a lease bearing date September nineteenth, nineteen hundred and seven, between the Seneca Nation of Indians on the Cattaraugus and Alleghany reservations, in the State of New York, and Charles M. L. Ashby, of Erie County, New York, is hereby ratified and confirmed.

SEC. 5. That the Court of Claims is hereby authorized and directed to hear and adjudicate the claims against the Choctaw Nation of Samuel Garland, deceased, and to render judgment thereon in such amounts, if any, as may appear to be equitably due. Said judgment, if any, in favor of the heirs of Garland shall be paid out of any funds in the Treasury of the United States belonging to the Choctaw Nation, said judgment to be rendered on the principle of quantum meruit for services rendered and expenses incurred. Notice of said suit shall be served on the governor of the Choctaw Nation, and the Attorney-General of the United States shall appear and defend in said suit on behalf of said nation.

Provisos.
Restriction.

Proportionate payments.

Future annuities used.

Attorneys for Indians.

Compensation.

Cornplanter, alias John O'Bial.
Heirs may sue for recovery of lands granted to.

Jurisdiction.

Verification of petition, etc.

Senecas of New York.
Lease to Charles M. L. Ashby confirmed.

Samuel Garland.
Adjudicating claims of heirs of, against Choctaw Nation.

Notice of suit.

Oklahoma.

SEC. 6. That the Act of April thirtieth, nineteen hundred and eight, reading as follows:

Bureau of Catholic Indian Missions. Patent to, of Quapaw lands.

“The Secretary of the Interior is hereby authorized to issue a patent to the Bureau of Catholic Indian Missions for the southeast quarter of the northeast quarter of section six, township twenty-eight north, range twenty-four east of the Indian meridian, Indian Territory, the same having been set apart to the Roman Catholic Church for church and school purposes by the Quapaw national council, on August twenty-fourth, eighteen hundred and ninety-three, and said church having maintained a church and school thereon since that date” be amended to read as follows:

Boundary line corrected. Antl, p. 88, amended.

“The Secretary of the Interior is hereby authorized to issue a patent to the Bureau of Catholic Indian Missions for the southwest quarter of the northeast quarter of section six, township twenty-eight north, range twenty-four east of the Indian meridian, Indian Territory, the same having been set apart to the Roman Catholic Church for church and school purposes by the Quapaw national council, on August twenty-fourth, eighteen hundred and ninety-three, and said church having maintained a church and school thereon since that date.”

Oklahoma. Segregation and survey of towns, etc., in Choctaw and Chickasaw nations.

SEC. 7. That in addition to the towns heretofore segregated, surveyed, and scheduled in accordance with law, the Secretary of the Interior be, and he is hereby, authorized to segregate and survey within that part of the territory of the Choctaw and Chickasaw nations, State of Oklahoma, heretofore segregated as coal and asphalt land, such other towns, parts of towns, or town lots, as are now in existence, or which he may deem it desirable to establish. He shall cause the surface of the lots in such towns or parts of towns to be appraised, scheduled, and sold at the rates, on the terms, and with the same character of estate as is provided in section twenty-nine of the Act of Congress approved June twenty-eighth, eighteen hundred and ninety-eight (Thirtieth Statutes at Large, page four hundred and ninety-five), under regulations to be prescribed by him. That the provisions of section thirteen of the Act of Congress approved April twenty-sixth, nineteen hundred and six (Thirty-fourth Statutes at Large, page one hundred and thirty-seven), shall not apply to town lots appraised and sold as provided herein. That all expenses incurred in surveying, platting, and selling the lots in any town or parts of towns shall be paid from the proceeds of the sale of town lots of the nation in which such town is situate.

Appraisal, etc.

Vol. 30, p. 505.

Coal and asphalt lands.

Vol. 34, p. 142.

Expenses.

Cherokee Nation. Payments to intermarried white Cherokee citizens.

SEC. 8. That the Secretary of the Interior be, and he is hereby, authorized and directed to pay, out of any funds in the Treasury belonging to the Cherokee tribe of Indians, to those intermarried white citizens of the said Cherokee tribe placed on the final approved rolls of the said Cherokee tribe by the Secretary of the Interior pursuant to an opinion of the Supreme Court of the United States in the case of Daniel Red Bird against The United States, the share or shares to which they are entitled in the funds of the Cherokee Nation on account of payments heretofore made out of said Cherokee funds to members of the Cherokee Nation, but in which payments said intermarried white Cherokee citizens did not participate and to which they were entitled in accordance with the findings of the Supreme Court in the said case of Daniel Red Bird against The United States, said intermarried white Cherokee citizens having married into the Cherokee Nation prior to November first, eighteen hundred and seventy-five, and not having since abandoned their citizenship. In case any of said intermarried Cherokee white citizens have died since final enrollment their share or shares in the money distributed shall be paid to their heirs or legal representatives: *Provided, however,* That the Cherokee Nation shall have the right to protest against the payment of any claim to any such person or persons and upon the protest being filed by or

Payments to heirs, etc.

Proviso. Right of protest.

on behalf of the Cherokee Nation the claim of any such person or persons shall be referred to the Court of Claims and said court is given full jurisdiction to hear and determine the same.

SEC. 9. That the Secretary of the Interior be, and he is hereby, authorized to issue a patent to "The Sisters of the Blessed Sacrament for Indians and Colored People," a charitable corporation organized under the laws of the State of Pennsylvania, for and covering the following described lands, amounting to approximately two hundred and eighty acres, now and for many years occupied by the said "The Sisters of the Blessed Sacrament for Indians and Colored People" as an Indian school, to wit: The southwest quarter of the southwest quarter of section thirteen, the south half of the northeast quarter of section fourteen, and the east half of the northwest quarter and the south half of the northeast quarter of section twenty-four, all in township twenty-six north, range thirty east, Gila and Salt River meridian, on the Navajo Indian Reservation, in Arizona Territory.

SEC. 10. That the Secretary of the Interior is hereby authorized to sell for use for school purposes to school districts of the State of Oklahoma, from the unallotted lands of the Five Civilized Tribes, tracts of land not to exceed two acres in any one district, at prices and under regulations to be prescribed by him, and proper conveyances of such lands shall be executed in accordance with existing laws regarding the conveyance of tribal property; and the Secretary of the Interior also shall have authority to remove the restrictions on the sale of such lands, not to exceed two acres in each case, as allottees of the Five Civilized Tribes, including full-bloods and minors, may desire to sell for school purposes.

SEC. 11. That the borough of Carlisle, in the State of Pennsylvania, shall be, and is hereby, granted the right and privileges of laying through and under the land owned by the United States and now used for the purpose of, or in connection with, the United States Indian Industrial School, such pipe or pipes as may be necessary for use in connection with, or as part of, its sewage system, said pipe or pipes to be laid beneath the surface of the ground, except as to the necessary manholes, and so laid as not to interfere with the use or mar the appearance of the premises: *Provided*, That no pipe or pipes shall be laid in pursuance of authority hereby conferred until the plan showing the location thereof shall have been submitted to and approved by the Secretary of the Interior: *And provided further*, That upon the request of the Secretary of the Interior, and his agreement to pay a fair proportion of the expense, the sewage system, disposal plant, and pipes constructed, or to be constructed, by the borough of Carlisle, shall be of sufficient size to take care of the sewage of the United States Indian Industrial School, which shall be permitted to establish a connection with the said sewage system and use the same.

SEC. 12. That the Secretary of the Interior be, and he hereby is, authorized to cause that part of the Cheyenne school reserve and the Cheyenne and Arapahoe Agency reserve lying east of a public road and separated from the school and agency reserves by such road, being a narrow strip of land more particularly described as lots eight and nine of section four, lots five and six of section nine, lots five and six of section sixteen, and lots five and six of section twenty-one, all in township thirteen north, range seven west, Indian meridian, in the State of Oklahoma, to be appraised by legal subdivisions and sold for the benefit of the Indians of the Cheyenne and Arapahoe reservations; and the owners of the adjoining lands are hereby given the preference right for ninety days from and after the passage of this act to purchase said lands at not less than the appraised value which may be placed thereon by the Secretary of the Interior, the purchase price to be paid in cash at the time of notice of acceptance by said purchasers.

Arizona.
The Sisters of the
Blessed Sacrament for
Indians and Colored
People.
Patent to.

Description.

Oklahoma.
Sale of lands of Five
Civilized Tribes for
school purposes.
Maximum acreage.

Restrictions re-
moved from sales by
allottees.

Carlisle, Pa.
May extend sewage
system through In-
dian school land.

Provision
Plan.

Connection with
school.

Oklahoma.
Sale of land for ben-
efit of Cheyenne and
Arapahoe Indians.

Preference rights.

Sale of lands remaining.

And in case said lands, or any part thereof, remain unsold after the expiration of said ninety days, the said Secretary shall proceed to offer said lands for sale under such regulations as he may prescribe.

Deposit of funds.

The funds received from said sales to be deposited in the Treasury of the United States to the credit of the Indians of the Cheyenne and

Sale of agency land and buildings.

Arapahoe Reservation, Oklahoma. That the Secretary of the Interior be, and he hereby is, authorized to cause to be appraised and sold six hundred and forty acres of land, together with the buildings and other appurtenances thereto belonging, heretofore set aside as reservation for the Cheyenne and Arapahoe Agency and the Arapahoe Indian

Elreno given preference rights for sixty days.

school in Oklahoma, and that for sixty days from and after said appraisement the city of Elreno, in Oklahoma, be given the preference right to purchase said land and improvements thereon at the appraised value thereof, to be used for school purposes, the purchase price thereof to be paid in cash at the time of the acceptance by said purchaser. And in case said land remains unsold after the expiration of said sixty days, the Secretary shall proceed to offer said land for sale

Sale of remaining land.

under such regulations as he may prescribe, and he is authorized to use all or any part of the proceeds of the sale thereof in the erection

Use of proceeds.

of new buildings and in repairs and improvements at the present Cheyenne Boarding School in the Cheyenne and Arapahoe Agency, in Oklahoma, and in the establishment of such day schools as may be required for said Cheyenne and Arapahoe Indians in Oklahoma, and that the balance of said proceeds, if any there be, may be used in support of said Cheyenne Boarding School or said day school.

Dewey, Okla. Land set aside for town-site purposes.

SEC. 13. That the Secretary of the Interior is hereby authorized to set aside for town-site purposes at Dewey, Oklahoma, the south half of the northwest quarter of the northwest quarter, and the northeast quarter of the northwest quarter of the northwest quarter of section twenty-eight, township twenty-seven north, range thirteen east, formerly allotted to Julia Lewis, who failed to establish her citizenship in the Cherokee Nation.

Subdivision and sale.

That the Secretary of the Interior is directed to subdivide these lands in accordance with the present streets and alleys laid out on such lands and to dispose of such lands and place the proceeds derived therefrom

Provisos. Preference rights.

to the credit of the Cherokee Nation: *Provided*, That the owners of permanent and substantial improvements on such lots shall have the preference right of purchasing their lots for cash at a price not to

Sale of unimproved lots.

exceed two hundred dollars per acre: *Provided further*, That all unimproved lots shall be sold at public auction to the highest bidder for cash: *And provided further*, That the expense of surveying, plat-

Expenses.

ting, laying out, and selling such lands shall be deducted from the proceeds of such sale.

Hartshorne, Okla. Reappraisement of town of.

SEC. 14. That the Secretary of the Interior is hereby authorized to make, and shall cause to be made, within sixty days from the passage of this Act, a reappraisement of the town of Hartshorne, Oklahoma, as of the date of the original appraisement made by the town-site

Past payments. Reimbursement.

commission; that payment already made on lots therein shall be credited on the basis of the reappraisement; that there shall be reimbursed to lot owners from the town-site funds of the Choctaw and Chickasaw

nations any amounts paid by them in excess of the new appraisement, and that the first installment on the purchase price or of the balance remaining unpaid shall be due thirty days after the service of notice of reappraisement, but in all other respects the existing laws relating to the sale of town lots and issue of patents therefor in the Choctaw and Chickasaw nations shall remain in full force and effect.

Flathead Indian Reservation, Mont. Allotment and sale of lands in. Vol. 33, p. 304, amended.

SEC. 15. That section nine, chapter fourteen hundred and ninety-five, Statutes of the United States of America, entitled "An Act for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation, in the State of Montana, and the sale and

disposal of all surplus lands after allotment," be, and the same is hereby, amended to read as follows:

"SEC. 9. That said lands shall be opened to settlement and entry by proclamation of the President, which proclamation shall prescribe the time when and the manner in which these lands may be settled upon, occupied, and entered by persons entitled to make entry thereof, and no person shall be permitted to settle upon, occupy, or enter any of said lands, except as prescribed in such proclamation: *Provided*, That the rights of honorably discharged Union soldiers and sailors of the late civil and the Spanish wars, as defined and prescribed in section twenty-three hundred and four and twenty-three hundred and five of the Revised Statutes, as amended by the Act of March first, nineteen hundred and one, shall not be abridged: *Provided further*, That the price of said lands shall be the appraised value thereof, as fixed by the said Commission, but settlers under the homestead law who shall reside upon and cultivate the land entered in good faith for the period required by existing law shall pay one-third of the appraised value in cash at the time of entry, and the remainder in five equal annual installments, to be paid one, two, three, four, and five years, respectively, from and after the date of entry, and shall be entitled to a patent for the lands so entered upon the payment to the local land officers of said five annual payments, and in addition thereto the same fees and commissions at the time of commutation or final entry as now provided by law where the price of the land is one dollar and twenty-five cents per acre, and no other and further charge of any kind whatsoever shall be required of such settler to entitle him to a patent for the land covered by his entry: *Provided*, That if any entryman fails to make such payments, or any of them, within the time stated, all rights in and to the land covered by his or her entry shall at once cease, and any payments theretofore made shall be forfeited, and the entry shall be forfeited and canceled: *And provided*, That nothing in this Act shall prevent homestead settlers from commuting their entries under section twenty-three hundred and one, Revised Statutes, by paying for the land entered the price fixed by said Commission, receiving credit for payments previously made: *Provided, however*, That the entryman or owner of any land irrigable by any system hereunder constructed under the provisions of section fourteen of this Act shall in addition to the payment required by section nine of said Act be required to pay for a water right the proportionate cost of the construction of said system in not more than fifteen annual installments, as fixed by the Secretary of the Interior, the same to be paid at the local land office, and the register and receiver shall be allowed the usual commissions on all moneys paid.

"The entryman of lands to be irrigated by said system shall in addition to compliance with the homestead laws reclaim at least one-half of the total irrigable area of his entry for agricultural purposes, and before receiving patent for the lands covered by his entry shall pay the charges apportioned against such tract. No right to the use of water shall be disposed of for a tract exceeding one hundred and sixty acres to any one person, and the Secretary of the Interior may limit the areas to be entered at not less than forty nor more than one hundred and sixty acres each.

"A failure to make any two payments when due shall render the entry and water-right application subject to cancellation, with the forfeiture of all rights under this Act, as well as of any moneys paid thereon. The funds arising hereunder shall be paid into the Treasury of the United States and be added to the proceeds derived from the sale of the lands. No right to the use of water for lands in private ownership shall be sold to any landowner unless he be an actual bona fide resident on such land or occupant thereof residing in the neighbor-

Post, p. 795.

Lands opened to settlement.

Provisos.
Soldiers and sailors' rights not affected.
R. S., sec. 2304, 2305, p. 422.
Vol. 31, p. 847.

Price.

Payments.

Forfeiture.

Commutation.

R. S., sec. 2301, p. 421.

Irrigable lands.

Vol. 33, p. 304, amended.

Water rights.

Payment for.

Reclamation of part of irrigable lands.

Restriction.

Cancellation and forfeiture.

Disposal of proceeds.

	hood of such land, and no such right shall permanently attach until all payments therefor are made.
Payment of annual charges.	"All applicants for water rights under the systems constructed in pursuance of this Act shall be required to pay such annual charges for operation and maintenance as shall be fixed by the Secretary of the Interior, and the failure to pay such charges when due shall render the water-right application and the entry subject to cancellation, with the forfeiture of all rights under this Act as well as of any moneys already paid thereon.
Forfeiture.	
Regulations.	"The Secretary of the Interior is hereby authorized to fix the time for the beginning of such payments and to provide such rules and regulations in regard thereto as he may deem proper. Upon the cancellation of any entry or water-right application, as herein provided, such lands or water rights may be disposed of under the terms of this Act and at such price and on such conditions as the Secretary of the Interior may determine, but not less than the cost originally fixed.
Disposal of canceled entries, etc.	
Water rights free to Indians.	"The land irrigable under the systems herein provided, which has been allotted to Indians in severalty, shall be deemed to have a right to so much water as may be required to irrigate such lands without cost to the Indians for construction of such irrigation systems. The purchaser of any Indian allotment, purchased prior to the expiration of the trust period thereon, shall be exempt from any and all charge for construction of the irrigation system incurred up to the time of such purchase. All lands allotted to Indians shall bear their pro rata share of the cost of the operation and maintenance of the system under which they lie.
Exemptions.	
Pro rata share of cost.	
Unallotted irrigable lands.	"When the payments required by this Act have been made for the major part of the unallotted lands irrigable under any system and subject to charges for construction thereof, the management and operation of such irrigation works shall pass to the owners of the lands irrigated thereby, to be maintained at their expense under such form of organization and under such rules and regulations as may be acceptable to the Secretary of the Interior.
Maintenance by owners.	
Regulations.	"The Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this Act into full force and effect."
	That section fourteen of said Act be, and the same is hereby, amended to read as follows:
Disposal of proceeds.	"SEC. 14. That the proceeds received from the sale of said lands in conformity with this Act shall be paid into the Treasury of the United States, and after deducting the expenses of the Commission, of classification and sale of lands, and such other incidental expenses as shall have been necessarily incurred, and expenses of the survey of the land, shall be expended or paid, as follows: So much thereof as the Secretary of the Interior may deem advisable in the construction of irrigation systems, for the irrigation of the irrigable lands embraced within the limits of said reservation; one half of the money remaining after the construction of said irrigation systems to be expended by the Secretary of the Interior as he may deem advisable for the benefit of said Indians in the purchase of live stock, farming implements, or the necessary articles to aid said Indians in farming and stock raising and in the education and civilization of said Indians, and the remaining half of said money to be paid to said Indians and persons holding tribal rights on said reservation, semiannually as the same shall become available, share and share alike: <i>Provided</i> , That the Secretary of the Interior may withhold from any Indian a sufficient amount of his pro rata share to pay any charge assessed against land held in trust for him for operation and maintenance of irrigation system."
Vol. 33, p. 205, amended.	
Payment of expenses.	
Use of remaining funds.	
Proviso.	
Payment of assessed charges.	

SEC. 16. That jurisdiction is hereby conferred upon the Court of Claims, with right of appeal to the Supreme Court, to hear and determine the claims of Robert V. Belt, of Washington, District of Columbia, and Joseph P. Mullen, formerly of Fort Smith, Arkansas, now of Ardmore, Oklahoma, for services rendered and expenses incurred by them as the attorneys for the Choctaw and Chickasaw freedmen, in the prosecution of their claims for allotments of land within and of the domain of the Choctaw and Chickasaw nations of Indians, now in the State of Oklahoma.

That the suits in said cases shall be begun by filing petitions in the Court of Claims within sixty days after the approval of this Act, wherein shall be set out such facts and in the manner as prescribed by the rules of that court, by the said Robert V. Belt and Joseph P. Mullen, against the Choctaw freedmen in the one case and against the Chickasaw freedmen in the other case; service of said petitions shall be had by delivery of two copies of each to the Attorney-General, who, with such attorney as said freedmen may select and employ, shall appear and defend for all of the defendants in each of said cases.

That the court may receive and consider all papers, documents, records, depositions, or other evidence offered by any of the parties to said suits; and for such amount, if any, as the court shall adjudge to be justly and equitably due to said attorneys, Robert V. Belt and Joseph P. Mullen, as the value of the services rendered and expenses incurred by them for and on behalf of the said Choctaw and Chickasaw freedmen upon the evidence submitted it shall render judgment or decree against the individuals to whom such services were rendered, the same to be a lien against their respective allotments of land for their pro rata amounts thereof.

SEC. 17. That the Secretary of the Interior be, and he is hereby, authorized to cause allotments to be made under the provisions of the Act of March second, eighteen hundred and eighty-nine, entitled "An Act to divide a portion of the reservation of the Sioux Nation in Dakota into separate reservations and secure the relinquishment of the Indian title to the remainder, and for other purposes," to any living children of the Sioux tribe of Indians belonging on the Rosebud Reservation affected thereby, and who have not heretofore been allotted, so long as that tribe is in possession of any unallotted tribal or reservation lands: *Provided*, That no allotment shall be made to any allottee entitled to the same under the provisions of this Act of any lands in the county of Tripp, in the State of South Dakota.

SEC. 18. That the Secretary of the Interior be, and he hereby is, authorized and directed to investigate the allotment made in the name of William Jondron, Yankton Sioux allottee numbered eleven hundred and forty-seven, and if it be shown to his satisfaction that no such person as William Jondron was in existence at the time the Yankton Indians were allotted he is hereby authorized and directed to cancel the patent issued in the name of William Jondron and also the record of the allotment in his name, and to reallocate the lands covered thereby to a member or members of the Yankton tribe who were entitled to allotments, but failed to receive land when the Indians of the said tribe were allotted lands in severalty.

SEC. 19. That the Secretary of the Interior be, and he hereby is, authorized to cause allotments to be made under the provisions of the Act of March second, eighteen hundred and eighty-nine, entitled "An Act to divide a portion of the reservation of the Sioux Nation of Indians in Dakota into separate reservations, and to secure the relinquishment of the Indian title to the remainder, and for other purposes," to any living children of the Sioux tribe of Indians belonging on any of the Great Sioux reservations affected thereby and who have not heretofore been allotted, so long as the tribe to which such Indian children belong

Choctaw and Chickasaw Nations, Okla.
Determining claims of Robert V. Belt and Joseph P. Mullen for services.

Procedure.

Judgments.

Rosebud Reservation, S. Dak.
Allotments to living children of.
Vol. 25, p. 888.

Proviso.
Tripp County, S. Dak., excluded.

William Jondron.
Cancellation of allotment, etc.
Vol. 34, p. 374.

Re-allotment of lands authorized.

Great Sioux Reservations.
Allotment to living children on any of the.
Vol. 25, p. 888.

Allotment of additional lands.

is possessed of any unallotted tribal or reservation lands; and where, for any reason, an Indian did not receive the quantity of land to which he was entitled under the provisions of the said Act of March second, eighteen hundred and eighty-nine, the Secretary of the Interior shall cause to be allotted to him sufficient additional lands on the reservation to which he belongs to make, together with the quantity of land heretofore allotted to him, the acreage to which he is entitled under said Act of March second, eighteen hundred and eighty-nine; and in case of the death of any such Indian, the additional lands to which he is of right entitled may be allotted to his heirs: *Provided*, That the tribe to which he belonged is possessed of any unallotted tribal or reservation lands.

Allotment to heirs.

Proviso.
Restriction.

Diocese of Duluth, Minn.
Patents in fee to, for school, etc., lands.

SEC. 20. That the Secretary of the Interior is hereby authorized and directed to issue patents in fee to the Diocese of Duluth, organized under an act of the State of Minnesota entitled "An act concerning religious corporations," approved February twenty-sixth, eighteen hundred and eighty-five, of the Protestant Episcopal Church in the United States of America for the lands set apart to said church on the various Indian reservations in the State of Minnesota, as follows:

On White Earth Indian Reservation.
Near White Earth.
Description.

On the White Earth Indian Reservation at or near White Earth: The southwest quarter of the southwest quarter and lots seven and nine of section fourteen, township one hundred and forty-two north, range forty-one west of the fifth principal meridian, containing in all one hundred and eighteen and thirty-one one-hundredths acres.

Near Beaulieu.
Description.

On the White Earth Indian Reservation at or near Beaulieu, on Wild Rice River: All of lot one of section thirty-one, township one hundred and forty-five north, range forty west of the fifth principal meridian, containing twenty-nine and seventy-seven one-hundredths acres, except the two and one-half acres, more or less, on which the Government blacksmith shop is located, which tract corresponds to the southeast quarter of the northeast quarter of the northwest quarter of the northwest quarter of said section, township, and range. Also the two and one-half acres, more or less, of lot two of section thirty-one, township one hundred and forty-five north, range forty west of the fifth principal meridian, corresponding to the northwest quarter of the northwest quarter of the southwest quarter of the northwest quarter of said section, township, and range, upon which the Episcopal parsonage and church building stand. Also the south half of the northwest quarter and the north half of the southwest quarter of section thirty, township one hundred and forty-five north, range forty west of the fifth principal meridian, containing one hundred and thirty-nine and twenty-eight one-hundredths acres, more or less.

Near Pine Point.
Description.

On the White Earth Indian Reservation at or near Pine Point: The southeast quarter of the northwest quarter and lot one, all in section thirty-three, township one hundred and forty-one north, range thirty-seven west of the fifth principal meridian, containing sixty-nine and five one-hundredths acres, more or less. Also that part of section thirty-three, township one hundred and forty-one north, range thirty-seven west of the fifth principal meridian, described as follows: Beginning at a point that is twenty chains west and six chains south of the center of said section, thence south five chains, thence west two and one-half chains, thence north five chains, thence east two and one-half chains to the place of beginning, containing one and one-fourth acres, more or less. Also that part of said section described as follows: Beginning at a point five chains east of the southwest corner of said section, thence north ten chains, thence east three and seventy-five one-hundredths chains, thence south ten chains, thence west three and seventy-five one-hundredths chains, containing three and seventy-five one-hundredths acres, more or less, on which is located the missionary's house, and to which the chapel is to be removed.

On the Red Lake Indian Reservation at or near Redby: Lot two and the southwest quarter of the southeast quarter of section nineteen, and the northwest quarter of the northeast quarter of section thirty, township one hundred and fifty-one north, range thirty-three west of the fifth principal meridian, containing ninety-four and seventy-five one-hundredths acres, more or less.

On Red Lake Indian Reservation near Redby.
Description.

On the Red Lake Indian Reservation at or near the subagency site the following-described parcel of land for cemetery purposes: Starting at the northeast corner of section twenty-nine, township one hundred and fifty-one north, range thirty-four west of the fifth principal meridian, thence running westward along the north line of said section two hundred and forty feet, thence southward on a line parallel to the east line of said section seventy-five feet to reach the point of beginning; thence from said point of beginning westward on a line parallel to the north line of said section four hundred and twenty feet, thence southward on a line parallel to the east line of said section two hundred and ten feet, thence eastward on a line parallel to the north line of said section four hundred and twenty feet, thence northward on a line parallel to the east line of said section two hundred and ten feet to said point of beginning, containing two acres, more or less. Also the northwest quarter of the northwest quarter of the southwest quarter of the northwest quarter of section twenty-eight, township one hundred and fifty-one north, range thirty-four west of the fifth principal meridian, containing five-eighths of an acre, more or less, on which is situated the missionary's house. Also that part of section twenty-one, township one hundred and fifty-one north, range thirty-four west, described as follows: Starting at the southwest corner of said section, thence running eastward along the south line of said section a thousand feet, thence northward on a line parallel to the west line of said section one hundred and sixteen feet to reach the point of beginning, thence from said point of beginning northward on a line parallel to the west line of said section sixty-six feet, thence westward on a line parallel to the south line of said section three hundred and thirty feet, thence southward on a line parallel to the west line of said section sixty-six feet, thence eastward on a line parallel to the south line of said section three hundred and thirty feet to the point of beginning, containing one-half an acre, more or less, on which the church and lace teacher's house are located. Also the southeast quarter of the northwest quarter of the northwest quarter and the southwest quarter of the northwest quarter and the northwest quarter of the southwest quarter of section twenty-eight, township one hundred and fifty-one north, range thirty-four west of the fifth principal meridian, containing ninety acres, more or less.

Near the subagency site.
Description.

On the Red Lake Indian Reservation at or near the Cross Lake School: West half of lot two, section six, township one hundred and fifty-two north, range thirty-three west of the fifth principal meridian, containing twenty-three acres, more or less.

Near Cross Lake School.
Description.

On the Cass Lake Indian Reservation at or near the Cass Lake Government school: All of lot three, section twenty-nine, township one hundred and forty-six north, range thirty-one west of the fifth principal meridian, and that part of lot two of said section south of a line running parallel to and forty-five rods south of the north line of said section, containing in all thirty-two acres, more or less: *Provided*, That a roadway twenty feet wide shall be permitted across said lands from the Government school to the place of crossing the Mississippi River.

On Cass Lake Indian Reservation near Government school.
Description.

Proviso.
Roadway.

On the Leech Lake Indian Reservation at or near Onigum: The following-described tract of land in lot one, section twenty-four, and lot three, section thirteen, township one hundred and forty-two north, range thirty-one west of the fifth principal meridian: Starting at the northwest corner of section twenty-four, township one hundred and

On Leech Lake Indian Reservation near Onigum.
Description.

forty-two north, range thirty-one west of the fifth principal meridian, and running eastward along the north line of said section twenty-eight and ninety one-hundredths chains to reach the point of beginning; thence from said point of beginning southwest on an angle of thirty-seven degrees and twenty-seven minutes one chain; thence southeast on an angle of sixty-six degrees and twenty-seven minutes five and fifty-eight one-hundredths chains to the lake shore; returning to the point of beginning; thence running northeast on an angle of thirty-seven degrees and twenty-seven minutes one and twenty-seven one-hundredths chains; thence southeast on an angle of sixty-four degrees and two minutes three and nine-tenths chains to the lake shore. The foregoing lines, together with the lake shore, form the boundaries of said tract, containing about one and one-sixteenth acres: *Provided*, That a walk six feet wide shall be permitted across this property leading from the Government school to the dock, as the same is now located.

Proviso.
Walk.

Near old agency.
Description.

On the Leech Lake Indian Reservation at or near the old agency: All that part of the southwest quarter of the southeast quarter of section seventeen, township one hundred and forty-two north, range thirty west of the fifth principal meridian, described as follows: Beginning at the quarter post between sections seventeen and twenty, thence north seven and seventy-three one-hundredths chains to reach the point of beginning, thence from said point of beginning east three and seventeen one-hundredths chains, thence north three and seventeen one-hundredths chains, thence west three and seventeen one-hundredths chains, thence south three and seventeen one-hundredths chains to the point of beginning, containing one acre, more or less, on which said tract of land the church is located. Also that part of lot four of section seventeen, township one hundred and forty-two north, range thirty west of the fifth principal meridian, described as follows: Starting at the quarter post between sections seventeen and twenty and running thence north sixteen and ninety-four one-hundredths chains, thence west seven-tenths of a chain to reach a point of beginning, thence from said point of beginning north two and twenty-eight one-hundredths chains, thence west two and twenty-eight one-hundredths chains, thence south two and twenty-eight one-hundredths chains, thence east two and twenty-eight one-hundredths chains to the said point of beginning, containing three-fourths of an acre, more or less. Also the southeast quarter of the northwest quarter of the southeast quarter of section seventeen, township one hundred and forty-two north, range thirty west of the fifth principal meridian, containing ten acres, more or less.

Bureau of Catholic
Indian Missions.
Patents in fee to, for
schools, etc.

That the Secretary of the Interior is hereby authorized and directed to issue patents in fee to "The Bureau of Catholic Indian Missions", organized under an Act of the Assembly of Maryland entitled "An Act to incorporate The Bureau of Catholic Indian Missions", approved April sixth, eighteen hundred and ninety-four, for the lands set apart to the Catholic Church on the White Earth and Red Lake Indian Reservations in the State of Minnesota, as follows:

On White Earth In-
dian Reservation near
White Earth.
Description.

On the White Earth Indian Reservation at or near White Earth: The southwest quarter of the southeast quarter of section twenty-six, township one hundred and forty-two north, range forty-one west of the fifth principal meridian, containing forty acres more or less; also the northwest quarter of the northwest quarter and lots two, three and four of section thirty-five, township one hundred and forty-two north, range forty-one west of the fifth principal meridian, containing one hundred and thirty-one and seventy-five hundredths acres, more or less; also the northeast quarter of the northeast quarter of section thirty-four, township one hundred and forty-two north, range forty-one west of the fifth principal meridian, containing forty acres more or less; also the southeast quarter of the southeast quarter of section twenty-seven, township one hundred and forty-two north, range

forty-one west of the fifth principal meridian, containing forty acres more or less.

On the White Earth Indian Reservation at or near Pembina settlement: The southeast quarter of the northwest quarter and the northeast quarter of the southwest quarter of section ten township one hundred and forty-four north, range forty-two west of the fifth principal meridian, containing eighty acres, more or less.

Near Pembina settlement.
Description.

On the White Earth Indian Reservation at or near Rice River: Lots one, two and twelve of section seven, township one hundred and forty-four north, range forty west of the fifth principal meridian, containing ninety-five and ninety hundredths acres, more or less.

Near Rice River.
Description.

On the Red Lake Indian Reservation at or near Red Lake: Lots two and three of section twenty, and the west half of the northeast quarter and the east half of the northwest quarter of section twenty-nine, township one hundred and fifty-one north, range thirty-four west of the fifth principal meridian, containing two hundred and forty-five and forty hundredths acres, more or less.

On Red Lake Indian Reservation, near Red Lake.
Description.

SEC. 21. That the Secretary of the Interior is hereby authorized to convey to the State of Minnesota the following-described tracts and parcels of lands, situate in the county of Carlton, State of Minnesota, and described as follows, to wit: All of section thirty-six, township forty-nine, range eighteen, except east half of northeast quarter; and all of section thirty-one, township forty-nine, range seventeen, except southwest quarter of northwest quarter and southeast quarter of southeast quarter; south half of southeast quarter, south half of southwest quarter, northeast quarter of southeast quarter, and south half of northeast quarter, all in section thirty, township forty-nine, range seventeen; northeast quarter of northwest quarter, south half of northwest quarter, all of the southwest quarter, and south half of southeast quarter and northeast quarter of southeast quarter, section twenty-nine, township forty-nine, range seventeen; north half of northwest quarter, southwest quarter of northeast quarter and southeast quarter, section thirty-two, township forty-nine, range seventeen, upon receipt by said Secretary of the Interior of the sum of one dollar and twenty-five cents per acre to him paid by any person or persons on behalf of said State of Minnesota.

Minnesota.
Lands in Carlton County conveyed to.
Description.

Price.

That all restrictions on alienation as to any allottee or allotment embraced in the following-described lands, to wit: East half of northeast quarter, section thirty-six, township forty-nine, range eighteen; southwest quarter of northwest quarter, section thirty-one, township forty-nine, range seventeen; north half of northeast quarter and southeast quarter of northeast quarter, section thirty-two, township forty-nine, range seventeen; and northwest quarter of northwest quarter, northwest quarter of southeast quarter, section twenty-nine, township forty-nine, range seventeen; north half of northeast quarter, northwest quarter of southeast quarter, north half of southwest quarter, southeast quarter of northwest quarter, section thirty, township forty-nine, range seventeen; southeast quarter of southeast quarter, section twenty-five, township forty-nine, range eighteen, are hereby removed in so far that said allottees or any of them or their heirs may convey their allotments to the State of Minnesota upon such allotment being first appraised by the Secretary of the Interior, and not less than the appraised price paid therefor by the State, and in that case the trust patent heretofore issued for such allotment shall be deemed and be a patent in fee, and the proceeds of such allotment in case of an incompetent Indian shall be held and disposed of as provided by the Act of March first, nineteen hundred and seven, (Thirty-fourth Statutes at Large, pages one thousand and fifteen to one thousand and eighteen), or any Indian holding an allotment upon any of the lands described in this section may file with the Commissioner of Indian Affairs a relin-

Chippewa Indians.
Alienation restrictions removed.
Land affected.

Conveyance to State permitted.

Allotments of incompetent Indians.

Vol. 34, p. 1018.

<p>Lands in lieu of allotted lands.</p> <p>Price per acre.</p> <p>Chippewas of Minnesota. Proceeds credited to Indians. Vol. 25, p. 645.</p> <p>Timber-sale contracts, etc.</p> <p>Payments limited to two years. Failure to pay. Restriction.</p> <p>White Earth Band. Proceeds of litigation with Commonwealth Lumber Company credited to.</p> <p>Siletz Indian Reservation, Oreg. Land purchases by religious societies on. Time for, extended. Vol. 28, p. 325 amended.</p> <p>Requirement.</p> <p>Maximum.</p> <p>Kiowa, Comanche, and Apache reservations, Okla. Sale of remaining pasture, etc., lands. Vol. 34, p. 213. Vol. 31, p. 677.</p> <p>Provisos. Maximum price per acre.</p>	<p>quishment of said allotment conveying the same to the State of Minnesota and have the right to take another allotment of any unallotted lands subject to allotment in said State of Minnesota, provided that such relinquishment be accompanied by the sum of one dollar and twenty-five cents for each acre covered by such relinquishment, to be turned over to the Secretary of the Interior and disposed of as hereinafter provided.</p> <p>That all moneys received by the Secretary of the Interior under and pursuant to the provisions of this Act shall be placed to the credit of the Chippewa Indians in the State of Minnesota, pursuant to the provisions of an Act of Congress entitled "For the relief and civilization of the Chippewa Indians in the State of Minnesota," approved January fourteenth, eighteen hundred and eighty-nine, and Acts supplementary thereto.</p> <p>That all outstanding contracts for the sale of timber upon any of the foregoing described lands made by the Secretary of the Interior or the General Land Office under the direction of the Secretary shall remain in force and the proceeds applied as provided for by existing laws, except that parties holding said contracts shall not be required to burn any debris upon said lands.</p> <p>That this grant is made upon the condition that payment therefor shall be made within two years from the date of the approval of this Act; that as to any land not paid for within that time the grant shall be void, and that said State shall not convey or lease or agree to convey or lease any of said land or any interest therein within ten years from the date of such approval. Any such conveyance, lease or agreement shall cause the land affected thereby to vest in the United States.</p> <p>SEC. 22. That the Secretary of the Treasury be, and he is hereby, authorized and directed to transfer to the credit of the White Earth bands of Chippewa Indians in Minnesota the sum of nineteen thousand six hundred and ninety-four dollars and forty-eight cents, the proceeds of litigation with the Commonwealth Lumber Company, said sum having been heretofore covered into the Treasury by "miscellaneous revenue" covering warrant numbered two thousand two hundred and eighty-three of the first quarter nineteen hundred and five, and erroneously credited to the account of "depreidations upon public lands."</p> <p>SEC. 23. That the time of complying with the terms of article six of the agreement with the Alsea and other Indians on Siletz Indian Reservation, in Oregon, approved August fifteenth, eighteen hundred and ninety-four, as follows: "It is further stipulated and agreed that any religious society or other organization not occupying under proper authority, for religious or educational work among the Indians, any of the lands in this agreement ceded, shall have the right for two years from the date of the ratification of this agreement (same date as bill) within which to purchase the land so occupied at the rate of two dollars and fifty cents per acre, the same to be conveyed to such organization or society by patent;" be extended to one year from date of approval of this Act in favor of any such religious society or organization heretofore described as can prove that it has maintained religious or educational work among the Indians as contemplated in the original Act. The amount of land to be so conveyed shall not exceed ten acres.</p> <p>SEC. 24. That the tracts of land remaining unsold in the Kiowa, Comanche, and Apache reservations under the Act of June fifth, nineteen hundred and six, and also under the Act of June sixth, nineteen hundred, shall be again and at once offered for sale and sold under the provisions and terms of said Act of June fifth, nineteen hundred and six: <i>Provided</i>, That said lands shall be sold under such regulations as may be prescribed by the Secretary of the Interior and for not less</p>
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than one dollar per acre: *And provided further*, That any purchaser of said land may at his option pay the entire amount that is due in cash for such land and receive his title therefor without the necessity of actually settling thereon: *Provided further*, That before offering said lands for sale the Secretary of the Interior shall allot one hundred and sixty acres of land to each child of Indian parentage born since June fifth, nineteen hundred and six, whose father or mother was a duly enrolled member of either the Kiowa, Comanche, or Apache tribe of Indians and entitled to allotment of land under the Act of June fifth, nineteen hundred and six, opening said Kiowa, Comanche, and Apache reservations to settlement, said allotments to be made of lands remaining unsold known as the pasture reserves in said reservations.

The Secretary of the Interior shall make all necessary rules and issue all necessary instructions to carry the provisions of this Act into effect: *Provided*, That any person who has heretofore entered any of said land under said Act of June fifth, nineteen hundred and six, shall receive patents therefor by paying all the deferred installments of purchase money and proving compliance with the requirements of the homestead laws at any time after the expiration of ten months from the date of his entry.

SEC. 25. That whenever the President is satisfied that all the Indians in any part of the Navajo Indian Reservation in New Mexico and Arizona created by Executive orders of November ninth, nineteen hundred and seven, and January twenty-eighth, nineteen hundred and eight, have been allotted, the surplus lands in such part of the reservation shall be restored to the public domain and opened to settlement and entry by proclamation of the President.

SEC. 26. That the Court of Claims is hereby authorized to consider and adjudicate and render judgment as law and equity may require in the matter of the claim of Clarence W. Turner, of Muskogee, Oklahoma, against the Creek Nation, for the destruction of personal property and the value of the loss of the pasture of the said Turner, or his assigns, by the action of any of the responsible Creek authorities, or with their cognizance and acquiescence, either party to said cause in the Court of Claims to have the right of appeal to the Supreme Court of the United States.

SEC. 27. That the Court of Claims is hereby authorized and directed to hear, consider, and adjudicate the claims against the Mississippi Choctaws of William N. Vernon, J. S. Bounds, and Chester Howe, their associates or assigns, for services rendered and expenses incurred in the matter of the claims of the Mississippi Choctaws to citizenship in the Choctaw Nation and to render judgment thereon on the principle of quantum meruit in such amount or amounts as may appear equitable and justly due therefor, which judgment, if any, shall be paid from any funds now or hereafter due such Choctaws as individuals by the United States. The said William N. Vernon, J. S. Bounds, and Chester Howe are hereby authorized to intervene in the suit instituted in said court under the provisions of section nine of the Act of April twenty-sixth, nineteen hundred and six, in behalf of the estate of Charles F. Winton, deceased: *Provided*, That the evidence of the intervenors shall be immediately submitted: *And provided further*, That the lands allotted to the said Mississippi Choctaws are hereby declared subject to a lien to the extent of the claims of the said Winton and of the other plaintiffs authorized by Congress to sue the said defendants, subject to the final judgment of the Court of Claims in the said case. Notice of such suit or intervention shall be served on the governor of the Choctaw Nation, and the Attorney-General shall appear and defend the said suit on behalf of the said Choctaws.

Cash payment, etc.

Allotments to children before sale.

Vol. 34, p. 214.

Regulations, etc.

Proviso.
Patents.Navajo Indian Reservation, N. Mex.
Surplus land restored to public domain, etc.Creek Nation.
Claim of Clarence W. Turner against, to be adjudicated.

Appeal.

Mississippi Choctaws.
Claims of William N. Vernon et al. against, to be adjudicated.

Payment of judgment.

May intervene in claims of heirs of Charles F. Winton.
Vol. 34, p. 140.*Provisos.*
Immediate submission of evidence.

Lien.

Notice of suit, etc.

Herman Lehman.
Patent in fee to.

SEC. 28. That the Secretary of the Interior be, and he is hereby, authorized to make an allotment to Herman Lehman (Montechema), an enrolled member of the Comanche tribe of Indians, who did not get an allotment, of one hundred and sixty acres of unappropriated and unallotted land from the lands to be disposed of under the Act of Congress approved June fifth, nineteen hundred and six (Thirty-fourth Statutes at Large, page two hundred and thirteen), and patent shall issue therefor in fee simple.

Vol. 34, p. 213.

Kiowa, etc., lands,
Okla.
Repayment of for-
feited deposits.
Vol. 34, p. 213.

SEC. 29. That all moneys forfeited under the regulations issued October nineteenth, nineteen hundred and six, by the Secretary of the Interior under the Act entitled "An Act to open for settlement five hundred and five thousand acres of land in the Kiowa-Comanche and Apache Indian Reservation in Oklahoma Territory," approved June fifth, nineteen hundred and six, be repaid to the persons by whom such moneys were deposited in every case where it shall be made to appear to the satisfaction of the Commissioner of the General Land Office that the bid upon which the award was made was the result of a clerical error, or was due to an honest mistake on the part of the bidder as to the numbers, the description, or the character of the land upon which his bid was made.

Regulations.

That the Commissioner of the General Land Office shall make all necessary rules and issue all necessary instructions to carry the provisions of this Act into effect, and the payment of the deposits herein provided for shall be paid out of any moneys deposited in the Treasury of the United States as the proceeds arising from the sale of lands under said Act of June fifth, nineteen hundred and six, and an appropriation, sufficient in amount to cover such case, is hereby made.

Payment of depos-
its.

Vol. 34, p. 213.
Appropriation.

Lawton, Okla.
Court-house, etc., in.
Use of part proceeds
of certain land sale
for, authorized.
Post, p. 545.

SEC. 30. That twenty per centum of the proceeds arising from the sale of the south half of section thirty, townsite two north, range eleven west of the Indian meridian in Oklahoma, is hereby appropriated, to be available immediately after such sale, to begin construction of a court-house and post-office building at Lawton, in said State, to cost not more than one hundred thousand dollars; and all Acts in conflict herewith are hereby repealed. That the Secretary of the Interior is authorized and directed to turn over to the treasurers of the cities of Lawton, Hobart and Anadarko, the unexpended balance of the proceeds arising from the sale of town lots in said cities heretofore appropriated and set apart for public improvements in such cities by the Act of March third, nineteen hundred and one, and the Acts of June thirtieth, nineteen hundred and two and March fourteenth, nineteen hundred and six.

Lawton, Hobart,
and Anadarko.
Sale of town lots.
Unexpended bal-
ance paid to.

Vol. 31, p. 1094.
Vol. 32, p. 506.
Vol. 34, p. 62.

Approved, May 29, 1908.

May 29, 1908.
[S. 6163.]

[Public, No. 157.]

CHAP. 217.—An Act To authorize the Secretary of the Interior to sell and dispose of the surplus unallotted agricultural lands of the Spokane Indian Reservation, Washington, and for other purposes.

Spokane Indian
Reservation, Wash.
Allotments, etc., of
lands in.

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 and directed to cause allotments to be made under the provisions of the allotment laws of the United States to all persons having tribal rights or holding tribal relations and who may rightfully belong on the Spokane Indian Reservation and who have not heretofore received allotments.

Classification of sur-
plus lands.

Agricultural lands
to be opened to settle-
ment.

SEC. 2. That upon the completion of said allotments to said Indians the Secretary of the Interior shall classify the surplus lands as agricultural and timber lands, the agricultural lands to be opened to settlement and entry under the provisions of the homestead laws by proclamation of the President, which shall prescribe the time when