

# REGULATIONS

GOVERNING THE

## PROCUREMENT OF TIMBER AND STONE

FOR

DOMESTIC AND INDUSTRIAL PURPOSES

IN THE

INDIAN TERRITORY,

AS PROVIDED IN THE ACT OF JUNE 6, 1900 (31 STATS., 660), AS AMENDED  
BY THE ACT OF JANUARY 21, 1903 (PUBLIC NO. 32).

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WASHINGTON:  
GOVERNMENT PRINTING OFFICE.

1903.

## AMENDMENT

To regulations approved February 28, 1903, governing the procurement of timber and stone for domestic and industrial purposes in Indian Territory:

No merchantable timber taken from the land of either of said tribes shall be sold or disposed of in any manner by any citizen or non-citizen, except under contract entered into in accordance with the provisions of these regulations, or where special authority is procured from the Secretary of the Interior to permit of such disposal, whether or not it is claimed that land is being cleared for cultivation or selected as the prospective allotment of any Indian: Provided, that nothing herein contained will be construed to prohibit Indian citizens, where actually in good faith clearing their land for cultivation, from disposing of the surplus timber taken from such land for stove wood or cord wood only for local consumption.

Approved August 5, 1903.

THOS. RYAN,  
Acting Secretary.

## REGULATIONS

GOVERNING

### THE PROCUREMENT OF TIMBER AND STONE FOR DOMESTIC AND INDUSTRIAL PURPOSES IN THE INDIAN TERRITORY.

[As provided in the act of June 6, 1900 (31 Stat., 660), as amended by the act of January 21, 1903 (Public, No. 32).]

1. The United States Indian agent for the Union Agency is hereby authorized and directed to enter into a contract or contracts, upon applications, made in the form of affidavits, upon blanks prescribed, when approved by the Secretary of the Interior, with any responsible person, persons, or corporation for the purchase of timber or stone from any of the lands belonging to any of the Five Civilized Tribes, and to collect, on or before the end of each month, the full value of such timber or stone as the Secretary of the Interior shall hereafter determine should be paid; and the timber or stone so procured under such contracts may be used for "domestic and industrial purposes, including the construction, maintenance, and repair of railroads and other highways, to be used only in the Indian Territory, or upon any railroad outside of the said Territory which is part of any continuous line of railroad extending into the said Territory."

Applications must be presented to the United States Indian inspector located in the Indian Territory, and by him forwarded, with his recommendation, through the Commissioner of Indian Affairs, to the Department.

Applicants must state the quality and quantity of timber or stone proposed to be cut or quarried, the purpose or purposes for which and the place or places where said timber or stone is to be used, as the case may be, the amount considered just and reasonable to be paid by them, and their reasons for such conclusion. Each application must be accompanied by the affidavits of two disinterested persons, corroborating specifically all the statements of the applicant, and the inspector is hereby authorized to require any other information as to the value of the timber or stone or to show the good faith of the applicant.

2. Before any timber shall be cut or any stone taken from any of the lands belonging to any of the Five Civilized Tribes the person, persons, or corporation desiring to secure such timber or stone shall enter into a contract or contracts with said Indian agent, in accordance with the form hereto attached, which contract, however, shall not be of force until the Secretary of the Interior shall have indorsed his approval thereon: *Provided*, That each such person, persons, or corporation shall give bond (form attached hereto) in a sufficient sum, to be fixed by the Secretary of the Interior, with two good and sufficient sureties, or an approved surety company, as surety, conditioned for the faithful performance of the stipulations of the contract or contracts, and also conditioned for the faithful observance of all of the laws of the United States now in force or that may hereafter be enacted, and the regulations now prescribed or that may hereafter be prescribed by the Secretary of the Interior relative to any and all matters pertaining to the affairs of any of the Five Civilized Tribes.

3. The moneys so collected shall be deposited in the United States subtreasury at St. Louis, Mo., to the credit of the tribe or tribes to which the land belongs from

which such timber or stone was procured as miscellaneous receipts, class three, "not the result of the labor of any member of such tribe."

No proposition under this act will be considered providing for the cutting of timber from the lands selected by any citizen of any of the Five Civilized Tribes as his prospective allotment.

The United States Indian agent at Union Agency shall be required to keep an accurate list, by legal subdivisions, of the land from which such timber or stone was taken, an accurate list of the amount of money derived from the sale of timber or stone taken from each such legal subdivision, and shall procure from the Commission to the Five Civilized Tribes information as to whether the lands involved in the application have been selected and submit that information with his report.

4. The contract or contracts entered into by said Indian agent with any person, persons, or corporation shall describe the land from which the timber or stone is to be taken by legal subdivisions, and if any contractor shall take timber or stone from any land other than that covered by his contract he shall be liable to forcible removal from the Indian Territory and suit on his bond, and such unlawful taking of timber and stone shall work also a forfeiture of his contract.

5. The act of Congress under which these rules are promulgated provides that "every person who unlawfully cuts, or aids, or is employed in unlawfully cutting, or wantonly destroys, or procures to be wantonly destroyed, any timber standing upon the land of either of said tribes contrary to the provisions of this act and the regulations prescribed thereunder by the Secretary, shall pay a fine of not more than five hundred dollars, or be imprisoned not more than twelve months, or both, in the discretion of the court trying the same."

The Indian agent for the Union Agency shall see that any person, persons, or corporation who procures timber or stone from any of the lands belonging to any of the Five Civilized Tribes, under and in accordance with the provisions of the act of Congress approved June 6, 1900 (31 Stat., 660), as amended by the act of January 21, 1903 (Public, No. 32), and these regulations, employs Indians in the cutting and removal of said timber and in the quarrying and removal of said stone whenever practicable on the same terms as other labor, Indians to have the preference over white men.

The Department reserves the right to amend these regulations and to advance the price to be paid for timber or stone to be taken under any contract if it be shown that the amount stipulated in the contract is less than the "full value," or to cancel any contract for failure to pay promptly the amounts due, or for any other good and sufficient cause, after due notice to the party or parties in interest, giving the right to show cause, within ten days from service of such notice, why this action should not be taken.

6. All applications and contracts filed hereunder shall be considered and treated as "special" by the United States Indian agent at Union Agency, the United States Indian inspector for Indian Territory, the Office of Indian Affairs, and the Department of the Interior, and as entitled to prompt and expeditious treatment.

W. A. JONES,

*Commissioner of Indian Affairs.*

WASHINGTON, D. C., February 28, 1903.

Approved:

E. A. HITCHCOCK, *Secretary.*

AN ACT to provide for the use of timber and stone for domestic and industrial purposes in the Indian Territory.

*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 is authorized to prescribe rules and regulations for the procurement of timber and stone for such domestic and industrial purposes, including the construction, maintenance, and repair of railroads and other highways, to be used only in the Indian Terri-

tory, as in his judgment he shall deem necessary and proper, from lands belonging to either of the Five Civilized Tribes of Indians, and to fix the full value thereof to be paid therefor and collect the same for the benefit of said tribes; and every person who unlawfully cuts, or aids, or is employed in unlawfully cutting, or wantonly destroys, or procures to be wantonly destroyed, any timber standing upon the land of either of said tribes, or sells or transports any of such timber or stone outside of the Indian Territory, contrary to the regulations prescribed by the Secretary, shall pay a fine of not more than five hundred dollars or be imprisoned not more than twelve months, or both, in the discretion of the court trying the same. (31 Stat., 660.)

Approved, June 6, 1900.

(PUBLIC—No. 32.)

AN ACT to amend an act entitled "An act to provide for the use of timber and stone for domestic and industrial purposes in the Indian Territory," approved June sixth, nineteen hundred.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the act entitled "An act to provide for the use of timber and stone for domestic and industrial purposes in the Indian Territory," approved June sixth, nineteen hundred, be amended so as to read as follows:

"That the Secretary of the Interior is authorized to prescribe rules and regulations for the procurement of timber and stone for domestic and industrial purposes, including the construction, maintenance, and repair of railroads and other highways, to be used only in the Indian Territory, or upon any railroad outside of the said Territory which is part of any continuous line of railroad extending into the said Territory, from lands belonging to either of the Five Civilized Tribes, and to fix the full value thereof to be paid therefor, and collect the same for the benefit of said tribes: *Provided, however,* That nothing herein contained shall be construed to prevent allottees from disposing of timber and stone on their allotments, as provided in section sixteen of an act entitled "An act for the protection of the people of the Indian Territory, and for other purposes," approved June twenty-eighth, eighteen hundred and ninety-eight, from and after the allotment by the Commission to the Five Civilized Tribes.

"SEC. 2. That every person who unlawfully cuts, or aids, or is employed in unlawfully cutting, or wantonly destroys, or procures to be wantonly destroyed, any timber standing upon the lands of either of said tribes contrary to the provisions of this act and the regulations prescribed thereunder by the Secretary of the Interior, shall pay a fine of not more than five hundred dollars or be imprisoned not more than twelve months, or both, in the discretion of the court trying the same."

Approved, January 21, 1903.

#### FORM OF APPLICATION.

I hereby apply for permission to enter into a contract with the United States Indian agent at Muskogee, Indian Territory, for the purchase of (1) \_\_\_\_\_, located on the (2) \_\_\_\_\_, 190—.

Such timber or stone is to be used at \_\_\_\_\_.

I consider that the timber is worth on the stump the following prices, to wit: \_\_\_\_\_, and that the stone is worth the following price per cubic yard, to wit: \_\_\_\_\_.

I base my opinion as to the value above stated upon the following facts: (3) \_\_\_\_\_.

Subscribed and sworn to before me, \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_ and \_\_\_\_\_, being by me first duly sworn, upon their oaths state, each for himself, that he is well acquainted with the land above described and with the quantity and quality of the timber and stone thereon, and with the place or places where it is proposed to use the above-mentioned material, and also with the values and prices of timber and stone in the vicinity of the place from which it is proposed to take and where it is proposed to use such material, and with the cost of removing and transporting timber and stone, and with all the facts stated by the applicant above named, and knows that the facts stated by him are true and correct in every particular.

Subscribed and sworn to before me, a \_\_\_\_\_ for the \_\_\_\_\_, at my office in \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

<sup>1</sup> Insert amount, kind, and character of timber or stone, or both desired.

<sup>2</sup> Insert description of land.

<sup>3</sup> State distance from place where material is to be procured to place where it is to be used, cost of transportation, etc., market price of material where it is to be used, and any other facts which may be of aid in arriving at a conclusion.

FORM OF INDIAN TERRITORY TIMBER AND STONE CONTRACT.

— NATION.

[Write all names and addresses in full.]

This agreement, made and entered into in quadruplicate at the Union Agency, Muskogee, Indian Territory, this — day of —, 190—, by and between —, United States Indian agent for the Union Agency, party of the first part, and —, of —, part— of the second part, under and in pursuance of the provisions of the act of Congress approved June 6, 1900 (31 Stat., 660), as amended by the act of January 21, 1903 (Public No. 32), and the rules and regulations prescribed by the Secretary of the Interior relative to the procurement of timber and stone from any of the lands belonging to any of the Five Civilized Tribes, and the timber or stone procured under the provisions of this act and the rules and regulations heretofore or that may hereafter be prescribed by the Secretary of the Interior:

Witnesseth, that the said party of the first part agrees to sell to said part— of the second part timber or stone of the kind or kinds hereinafter specified, standing, fallen, lying, or being on lands within the limits of the — Nation, which said lands are described as follows, to wit: The — of section —, of township (1) —, of range (2) —, of the Indian meridian, and containing — acres, more or less.

The part— of the second part agree— to cut and remove the timber or quarry and remove the stone hereinafter mentioned from within the above-described limits, and agree— to employ Indian labor in the cutting and removal of the timber and the quarrying and removal of the stone in preference to other labor on equal terms, whenever suitable Indian labor can be obtained.

For and in consideration of the foregoing, the said part— of the second part also agree— to pay to the United States Indian agent for the Union Agency, for the benefit of the — tribe of Indians, for all such timber cut and stone quarried on said described lands, at the following rates, to wit:

MERCHANTABLE SAW TIMBER, i. e., TIMBER CAPABLE OF BEING MANUFACTURED INTO LUMBER.

For walnut timber, — per thousand feet; for cypress timber, — per thousand feet; for ash timber, — per thousand feet; for oak timber, — per thousand feet; for pine timber, — per thousand feet; for cottonwood timber, — per thousand feet; and for — timber, — per thousand feet.

TELEGRAPH POLES.

Cedar, four to five inch top, eight to ten inch bottom, — feet long, — cents each. Cedar, six-inch top, twelve-inch bottom, — feet long, — cents each. Cedar, — inch top, — inch bottom, — feet long, — cents each. Oak, four to five inch top, eight to ten inch bottom, — feet long, — cents each. Oak, six-inch top, twelve-inch bottom, — feet long, — cents each. Oak, — inch top, — inch bottom, — feet long, — cents each.

PILING.

Cedar, — cents per foot; oak, — cents per foot, running measure.

RAILROAD CROSS-TIES (BRIDGE, HEWN OR SAWED).

Oak (post, burr, white, red, or black), — cents each. Pine, — cents each. Cedar, bois d'arc, walnut, mulberry, sassafras, and red or slippery elm, — cents each. Black locust and coffee bean, — cents each.

RAILROAD SWITCH TIES.

Oak (post, white, burr, red, or black), — cents each. Pine, — cents each.

FENCE POSTS.

— cents each.

CORD WOOD

— dollar— per cord.

STONE.

— dollar— per cubic yard.

It is agreed that full payment shall be made for said timber or stone before any of it is removed from the land hereinbefore described, and title to said timber or stone shall not vest in the part— of the second part until full payment shall have been made therefor.

1 State whether north or south.

2 State whether east or west.

It is further agreed that said timber shall be cut and removed, and that said stone shall be quarried and removed from said land as soon as practicable after the date of this contract, so that no depreciation in value or waste may accrue to said party of the first part by reason of unnecessary delay in the removal of said timber or stone: Provided, That the terms of this contract shall not extend beyond the period of one year from the date hereof, and the timber or stone procured under this contract may be used for "domestic and industrial purposes, including the construction, maintenance, and repair of railroads and other highways, to be used only in the Indian Territory, or upon any railroad outside of the said Territory which is part of any continuous line of railroad extending into the said Territory."

It is further understood and agreed by the part— of the second part that this agreement is void and of no effect unless approved by the Secretary of the Interior.

The part— of the second part further agree— that this agreement shall in all respects be subject to the rules and regulations heretofore, or that may hereafter be, prescribed under the said act of June 6, 1900 (31 Stat., 660), as amended by the act of January 21, 1903 (Public, No. 32), by the Secretary of the Interior relative to the procurement of timber and stone from any of the lands belonging to any of the Five Civilized Tribes, and to pay to the United States Indian agent for the Union Agency the full value of the timber or stone hereinbefore mentioned, in accordance with the provisions hereof.

The part— of the second part — firmly bound for the faithful compliance with the stipulations of this agreement by and under the bond made and executed by the part— of the second part as principal— and — as suret—, entered into the — day of —, and which is on file in the office of the Commissioner of Indian Affairs.

In witness whereof the said parties of the first and second parts have hereunto set their hands and affixed their seals the day and year first above written.

Witnesses:

1 — } As to
— }
— } As to
— }
— } As to
— } As to

— [SEAL],
U. S. Indian Agent.
— [SEAL].
— [SEAL].
— [SEAL].
— [SEAL].

[Indorsements on contract.]

No. —. DEPARTMENT OF THE INTERIOR, Washington, D. C. — AGREEMENT. —, U. S. Indian Agent, WITH —, of —. Sec. —, Tp. —, Range —, in the — Nation, Indian Territory. Dated —, 190—. Expires —, 190—.

DEPARTMENT OF THE INTERIOR, U. S. INDIAN SERVICE, UNION AGENCY, Muskogee, I. T., —, 190—. Respectfully forwarded to the Commissioner of Indian Affairs for consideration with my report of even date. —, U. S. Indian Agent.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS, Washington, D. C., —, 190—. Respectfully submitted to the Secretary of the Interior with favorable recommendation.

— Commissioner. DEPARTMENT OF THE INTERIOR, Washington, D. C., —, 190—. Approved: — Secretary of the Interior.

1 Two witnesses to each signature, including signature of agent.

FORM OF BOND.

KNOW ALL MEN BY THESE PRESENTS, That we (1) \_\_\_\_\_, of \_\_\_\_\_, as principals, and \_\_\_\_\_, of \_\_\_\_\_, and \_\_\_\_\_, of \_\_\_\_\_, as sureties, are held and firmly bound unto the United States of America in the sum of \_\_\_\_\_ dollars, lawful money of the United States, for the payment of which, well and truly to be made, we bind ourselves and each of us, our heirs, successors, executors, and administrators, jointly and severally, firmly by these presents.

Scaled with our seals and dated the \_\_\_\_\_ day of \_\_\_\_\_, 190\_\_\_\_\_.

The condition of this obligation is such that whereas the above-bounden \_\_\_\_\_, as principal— entered into a certain agreement dated \_\_\_\_\_, 190\_\_\_\_\_, with the United States Indian agent for the Union Agency, for the purchase of \_\_\_\_\_, to be procured from (2) the \_\_\_\_\_, said \_\_\_\_\_ to be used for "domestic and industrial purposes, including the construction, maintenance, and repair of railroads and other highways, to be used only in the Indian Territory, or upon any railroad outside of the said Territory which is part of any continuous line of road extending into the said Territory."

Now, if the above-bounden \_\_\_\_\_ shall faithfully carry out and observe all the obligations assumed in said agreement by \_\_\_\_\_, and shall observe all the laws of the United States and regulations made or which shall be made thereunder for the government of trade and intercourse with the Indian tribes, and the rules and regulations that have been or may be prescribed by the Secretary of the Interior under the act of Congress approved June 6, 1900 (31 Stat., 660), as amended by the act of January 21, 1903 (Public—No. 32), relative to the procurement of timber and stone from lands belonging to any of the Five Civilized Tribes in the Indian Territory, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed in the presence of (3) —

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_. [L. s.] (4)  
\_\_\_\_\_. [L. s.] (4)  
\_\_\_\_\_. [L. s.] (4)  
\_\_\_\_\_. [L. s.] (4)

[Indorsement on Bond.]

DEPARTMENT OF THE INTERIOR.

WASHINGTON, D. C.

BOND.

of \_\_\_\_\_, covering the purchase of \_\_\_\_\_,  
in the \_\_\_\_\_ Nation, Indian Territory.  
Dated \_\_\_\_\_, 190\_\_\_\_\_.

Approved:

\_\_\_\_\_  
Secretary.

1 The Christian names and residences of principals and of the sureties, where personal sureties are given, of whom there must be two.

2 Give description of land.

3 There must be at least two witnesses to all signatures, though the same two persons may witness all.

4 A seal must be attached by some adhesive substance to the signatures of principals and sureties.

*Water machine seal*

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## PROCUREMENT OF TIMBER AND STONE

FOR

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INDIAN TERRITORY,

AS PROVIDED IN THE ACT OF JUNE 6, 1900 (31 STATS., 660), AS AMENDED  
BY THE ACT OF JANUARY 21, 1903 (PUBLIC NO. 32).

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WASHINGTON:  
GOVERNMENT PRINTING OFFICE.  
1903.

## AMENDMENT

To regulations approved February 28, 1903, governing the procurement of timber and stone for domestic and industrial purposes in Indian Territory:

No merchantable timber taken from the land of either of said tribes shall be sold or disposed of in any manner by any citizen or non-citizen, except under contract entered into in accordance with the provisions of these regulations, or where special authority is procured from the Secretary of the Interior to permit of such disposal, whether or not it is claimed that land is being cleared for cultivation or selected as the prospective allotment of any Indian: Provided, that nothing herein contained will be construed to prohibit Indian citizens, where actually in good faith clearing their land for cultivation, from disposing of the surplus timber taken from such land for stove wood or cord wood only for local consumption.

Approved August 5, 1903.

THOS. RYAN,  
Acting Secretary.

## REGULATIONS

GOVERNING

### THE PROCUREMENT OF TIMBER AND STONE FOR DOMESTIC AND INDUSTRIAL PURPOSES IN THE INDIAN TERRITORY.

[As provided in the act of June 6, 1900 (31 Stat., 660), as amended by the act of January 21, 1903 (Public, No. 32).]

1. The United States Indian agent for the Union Agency is hereby authorized and directed to enter into a contract or contracts, upon applications, made in the form of affidavits, upon blanks prescribed, when approved by the Secretary of the Interior, with any responsible person, persons, or corporation for the purchase of timber or stone from any of the lands belonging to any of the Five Civilized Tribes, and to collect, on or before the end of each month, the full value of such timber or stone as the Secretary of the Interior shall hereafter determine should be paid; and the timber or stone so procured under such contracts may be used for "domestic and industrial purposes, including the construction, maintenance, and repair of railroads and other highways, to be used only in the Indian Territory, or upon any railroad outside of the said Territory which is part of any continuous line of railroad extending into the said Territory."

Applications must be presented to the United States Indian inspector located in the Indian Territory, and by him forwarded, with his recommendation, through the Commissioner of Indian Affairs, to the Department.

Applicants must state the quality and quantity of timber or stone proposed to be cut or quarried, the purpose or purposes for which and the place or places where said timber or stone is to be used, as the case may be, the amount considered just and reasonable to be paid by them, and their reasons for such conclusion. Each application must be accompanied by the affidavits of two disinterested persons, corroborating specifically all the statements of the applicant, and the inspector is hereby authorized to require any other information as to the value of the timber or stone or to show the good faith of the applicant.

2. Before any timber shall be cut or any stone taken from any of the lands belonging to any of the Five Civilized Tribes the person, persons, or corporation desiring to secure such timber or stone shall enter into a contract or contracts with said Indian agent, in accordance with the form hereto attached, which contract, however, shall not be of force until the Secretary of the Interior shall have indorsed his approval thereon: *Provided*, That each such person, persons, or corporation shall give bond (form attached hereto) in a sufficient sum, to be fixed by the Secretary of the Interior, with two good and sufficient sureties, or an approved surety company, as surety, conditioned for the faithful performance of the stipulations of the contract or contracts, and also conditioned for the faithful observance of all of the laws of the United States now in force or that may hereafter be enacted, and the regulations now prescribed or that may hereafter be prescribed by the Secretary of the Interior relative to any and all matters pertaining to the affairs of any of the Five Civilized Tribes.

3. The moneys so collected shall be deposited in the United States subtreasury at St. Louis, Mo., to the credit of the tribe or tribes to which the land belongs from

which such timber or stone was procured as miscellaneous receipts, class three, "not the result of the labor of any member of such tribe."

No proposition under this act will be considered providing for the cutting of timber from the lands selected by any citizen of any of the Five Civilized Tribes as his prospective allotment.

The United States Indian agent at Union Agency shall be required to keep an accurate list, by legal subdivisions, of the land from which such timber or stone was taken, an accurate list of the amount of money derived from the sale of timber or stone taken from each such legal subdivision, and shall procure from the Commission to the Five Civilized Tribes information as to whether the lands involved in the application have been selected and submit that information with his report.

4. The contract or contracts entered into by said Indian agent with any person, persons, or corporation shall describe the land from which the timber or stone is to be taken by legal subdivisions, and if any contractor shall take timber or stone from any land other than that covered by his contract he shall be liable to forcible removal from the Indian Territory and suit on his bond, and such unlawful taking of timber and stone shall work also a forfeiture of his contract.

5. The act of Congress under which these rules are promulgated provides that "every person who unlawfully cuts, or aids, or is employed in unlawfully cutting, or wantonly destroys, or procures to be wantonly destroyed, any timber standing upon the land of either of said tribes contrary to the provisions of this act and the regulations prescribed thereunder by the Secretary, shall pay a fine of not more than five hundred dollars, or be imprisoned not more than twelve months, or both, in the discretion of the court trying the same."

The Indian agent for the Union Agency shall see that any person, persons, or corporation who procures timber or stone from any of the lands belonging to any of the Five Civilized Tribes, under and in accordance with the provisions of the act of Congress approved June 6, 1900 (31 Stat., 660), as amended by the act of January 21, 1903 (Public, No. 32), and these regulations, employs Indians in the cutting and removal of said timber and in the quarrying and removal of said stone whenever practicable on the same terms as other labor, Indians to have the preference over white men.

The Department reserves the right to amend these regulations and to advance the price to be paid for timber or stone to be taken under any contract if it be shown that the amount stipulated in the contract is less than the "full value," or to cancel any contract for failure to pay promptly the amounts due, or for any other good and sufficient cause, after due notice to the party or parties in interest, giving the right to show cause, within ten days from service of such notice, why this action should not be taken.

6. All applications and contracts filed hereunder shall be considered and treated as "special" by the United States Indian agent at Union Agency, the United States Indian inspector for Indian Territory, the Office of Indian Affairs, and the Department of the Interior, and as entitled to prompt and expeditious treatment.

W. A. JONES,

Commissioner of Indian Affairs.

WASHINGTON, D. C., February 28, 1903.

Approved:

E. A. HITCHCOCK, Secretary.

AN ACT to provide for the use of timber and stone for domestic and industrial purposes in the Indian Territory.

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 is authorized to prescribe rules and regulations for the procurement of timber and stone for such domestic and industrial purposes, including the construction, maintenance, and repair of railroads and other highways, to be used only in the Indian Terri-

tory, as in his judgment he shall deem necessary and proper, from lands belonging to either of the Five Civilized Tribes of Indians, and to fix the full value thereof to be paid therefor and collect the same for the benefit of said tribes; and every person who unlawfully cuts, or aids, or is employed in unlawfully cutting, or wantonly destroys, or procures to be wantonly destroyed, any timber standing upon the land of either of said tribes, or sells or transports any of such timber or stone outside of the Indian Territory, contrary to the regulations prescribed by the Secretary, shall pay a fine of not more than five hundred dollars or be imprisoned not more than twelve months, or both, in the discretion of the court trying the same. (31 Stat., 660.)

Approved, June 6, 1900.

(PUBLIC—No. 32.)

AN ACT to amend an act entitled "An act to provide for the use of timber and stone for domestic and industrial purposes in the Indian Territory," approved June sixth, nineteen hundred.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act to provide for the use of timber and stone for domestic and industrial purposes in the Indian Territory," approved June sixth, nineteen hundred, be amended so as to read as follows:

"That the Secretary of the Interior is authorized to prescribe rules and regulations for the procurement of timber and stone for domestic and industrial purposes, including the construction, maintenance, and repair of railroads and other highways, to be used only in the Indian Territory, or upon any railroad outside of the said Territory which is part of any continuous line of railroad extending into the said Territory, from lands belonging to either of the Five Civilized Tribes, and to fix the full value thereof to be paid therefor, and collect the same for the benefit of said tribes: *Provided, however*, That nothing herein contained shall be construed to prevent allottees from disposing of timber and stone on their allotments, as provided in section sixteen of an act entitled 'An act for the protection of the people of the Indian Territory, and for other purposes,' approved June twenty-eighth, eighteen hundred and ninety-eight, from and after the allotment by the Commission to the Five Civilized Tribes.

"SEC. 2. That every person who unlawfully cuts, or aids, or is employed in unlawfully cutting, or wantonly destroys, or procures to be wantonly destroyed, any timber standing upon the lands of either of said tribes contrary to the provisions of this act and the regulations prescribed thereunder by the Secretary of the Interior, shall pay a fine of not more than five hundred dollars or be imprisoned not more than twelve months, or both, in the discretion of the court trying the same."

Approved, January 21, 1903.

#### FORM OF APPLICATION.

\_\_\_\_\_,  
\_\_\_\_\_, 190—.

I hereby apply for permission to enter into a contract with the United States Indian agent at Muskogee, Indian Territory, for the purchase of (1) \_\_\_\_\_, located on the (2) \_\_\_\_\_.

Such timber or stone is to be used at \_\_\_\_\_.

I consider that the timber is worth on the stump the following prices, to wit: \_\_\_\_\_, and that the stone is worth the following price per cubic yard, to wit: \_\_\_\_\_.

I base my opinion as to the value above stated upon the following facts: (3) \_\_\_\_\_.

Subscribed and sworn to before me, \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_ and \_\_\_\_\_, being by me first duly sworn, upon their oaths state, each for himself, that he is well acquainted with the land above described and with the quantity and quality of the timber and stone thereon, and with the place or places where it is proposed to use the above-mentioned material, and also with the values and prices of timber and stone in the vicinity of the place from which it is proposed to take and where it is proposed to use such material, and with the cost of removing and transporting timber and stone, and with all the facts stated by the applicant above named, and knows that the facts stated by him are true and correct in every particular.

Subscribed and sworn to before me, a \_\_\_\_\_ for the \_\_\_\_\_, at my office in \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

<sup>1</sup>Insert amount, kind, and character of timber or stone, or both desired.

<sup>2</sup>Insert description of land.

<sup>3</sup>State distance from place where material is to be procured to place where it is to be used, cost of transportation, etc., market price of material where it is to be used, and any other facts which may be of aid in arriving at a conclusion.

FORM OF INDIAN TERRITORY TIMBER AND STONE CONTRACT.

— NATION.

[Write all names and addresses in full.]

This agreement, made and entered into in quadruplicate at the Union Agency, Muskogee, Indian Territory, this — day of —, 190—, by and between —, United States Indian agent for the Union Agency, party of the first part, and —, of —, part— of the second part, under and in pursuance of the provisions of the act of Congress approved June 6, 1900 (31 Stat., 660), as amended by the act of January 21, 1903 (Public No. 32), and the rules and regulations prescribed by the Secretary of the Interior relative to the procurement of timber and stone from any of the lands belonging to any of the Five Civilized Tribes, and the timber or stone procured under the provisions of this act and the rules and regulations heretofore or that may hereafter be prescribed by the Secretary of the Interior:

Witnesseth, that the said party of the first part agrees to sell to said part— of the second part timber or stone of the kind or kinds hereinafter specified, standing, fallen, lying, or being on lands within the limits of the — Nation, which said lands are described as follows, to wit: The — of section —, of township (1) —, of range (2) —, of the Indian meridian, and containing — acres, more or less.

The part— of the second part agree— to cut and remove the timber or quarry and remove the stone hereinafter mentioned from within the above-described limits, and agree— to employ Indian labor in the cutting and removal of the timber and the quarrying and removal of the stone in preference to other labor on equal terms, whenever suitable Indian labor can be obtained.

For and in consideration of the foregoing, the said part— of the second part also agree— to pay to the United States Indian agent for the Union Agency, for the benefit of the — tribe of Indians, for all such timber cut and stone quarried on said described lands, at the following rates, to wit:

MERCHANTABLE SAW TIMBER, I. E., TIMBER CAPABLE OF BEING MANUFACTURED INTO LUMBER.

For walnut timber, — per thousand feet; for cypress timber, — per thousand feet; for ash timber, — per thousand feet; for oak timber, — per thousand feet; for pine timber, — per thousand feet; for cottonwood timber, — per thousand feet; and for — timber, — per thousand feet.

TELEGRAPH POLES.

Cedar, four to five inch top, eight to ten inch bottom, — feet long, — cents each. Cedar, six-inch top, twelve-inch bottom, — feet long, — cents each. Cedar, — inch top, — inch bottom, — feet long, — cents each. Oak, four to five inch top, eight to ten inch bottom, — feet long, — cents each. Oak, six-inch top, twelve-inch bottom, — feet long, — cents each. Oak, — inch top, — inch bottom, — feet long, — cents each.

PILING.

Cedar, — cents per foot; oak, — cents per foot, running measure.

RAILROAD CROSS-TIES (BRIDGE, HEWN OR SAWED).

Oak (post, burr, white, red, or black), — cents each. Pine, — cents each. Cedar, bois d'arc, walnut, mulberry, sassafras, and red or slippery elm, — cents each. Black locust and coffee bean, — cents each.

RAILROAD SWITCH TIES.

Oak (post, white, burr, red, or black), — cents each. Pine, — cents each.

FENCE POSTS.

— cents each.

CORD WOOD

— dollar— per cord.

STONE.

— dollar— per cubic yard.

It is agreed that full payment shall be made for said timber or stone before any of it is removed from the land hereinbefore described, and title to said timber or stone shall not vest in the part— of the second part until full payment shall have been made therefor.

1 State whether north or south.

2 State whether east or west.

It is further agreed that said timber shall be cut and removed, and that said stone shall be quarried and removed from said land as soon as practicable after the date of this contract, so that no depreciation in value or waste may accrue to said party of the first part by reason of unnecessary delay in the removal of said timber or stone: Provided, That the terms of this contract shall not extend beyond the period of one year from the date hereof, and the timber or stone procured under this contract may be used for "domestic and industrial purposes, including the construction, maintenance, and repair of railroads and other highways, to be used only in the Indian Territory, or upon any railroad outside of the said Territory which is part of any continuous line of railroad extending into the said Territory."

It is further understood and agreed by the part— of the second part that this agreement is void and of no effect unless approved by the Secretary of the Interior.

The part— of the second part further agree— that this agreement shall in all respects be subject to the rules and regulations heretofore, or that may hereafter be, prescribed under the said act of June 6, 1900 (31 Stat., 660), as amended by the act of January 21, 1903 (Public, No. 32), by the Secretary of the Interior relative to the procurement of timber and stone from any of the lands belonging to any of the Five Civilized Tribes, and to pay to the United States Indian agent for the Union Agency the full value of the timber or stone hereinbefore mentioned, in accordance with the provisions hereof.

The part— of the second part — firmly bound for the faithful compliance with the stipulations of this agreement by and under the bond made and executed by the part— of the second part as principal— and — as suret—, entered into the — day of —, and which is on file in the office of the Commissioner of Indian Affairs.

In witness whereof the said parties of the first and second parts have hereunto set their hands and affixed their seals the day and year first above written.

Witnesses:

1 \_\_\_\_\_ } As to
\_\_\_\_\_ }
\_\_\_\_\_ } As to
\_\_\_\_\_ }
\_\_\_\_\_ } As to
\_\_\_\_\_ } As to

\_\_\_\_\_ [SEAL],
U. S. Indian Agent.
\_\_\_\_\_ [SEAL].
\_\_\_\_\_ [SEAL].
\_\_\_\_\_ [SEAL].

[Indorsements on contract.]

No. —, DEPARTMENT OF THE INTERIOR, Washington, D. C.

— AGREEMENT.

—, U. S. Indian Agent,

WITH

—, of —.

Sec. —, Tp. —, Range —, in the — Nation, Indian Territory. Dated —, 190—. Expires —, 190—.

DEPARTMENT OF THE INTERIOR, U. S. INDIAN SERVICE, UNION AGENCY, Muskogee, I. T., —, 190—. Respectfully forwarded to the Commissioner of Indian Affairs for consideration with my report of even date. —, U. S. Indian Agent.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS, Washington, D. C., —, 190—. Respectfully submitted to the Secretary of the Interior with favorable recommendation. —, Commissioner.

DEPARTMENT OF THE INTERIOR, Washington, D. C., —, 190—. Approved: —, Secretary of the Interior.

1 Two witnesses to each signature, including signature of agent.

## FORM OF BOND.

KNOW ALL MEN BY THESE PRESENTS, That we <sup>(1)</sup> ———, of ———, as principals, and ———, of ———, and ———, of ———, as sureties, are held and firmly bound unto the United States of America in the sum of ——— dollars, lawful money of the United States, for the payment of which, well and truly to be made, we bind ourselves and each of us, our heirs, successors, executors, and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated the ——— day of ———, 190—.

The condition of this obligation is such that whereas the above-bounden ———, as principal— entered into a certain agreement dated ———, 190—, with the United States Indian agent for the Union Agency, for the purchase of ———, to be procured from <sup>(2)</sup> the ———, said ——— to be used for "domestic and industrial purposes, including the construction, maintenance, and repair of railroads and other highways, to be used only in the Indian Territory, or upon any railroad outside of the said Territory which is part of any continuous line of railroad extending into the said Territory."

Now, if the above-bounden ——— shall faithfully carry out and observe all the obligations assumed in said agreement by ———, and shall observe all the laws of the United States and regulations made or which shall be made thereunder for the government of trade and intercourse with the Indian tribes, and the rules and regulations that have been or may be prescribed by the Secretary of the Interior under the act of Congress approved June 6, 1900 (31 Stat., 660), as amended by the act of January 21, 1903 (Public—No. 32), relative to the procurement of timber and stone from lands belonging to any of the Five Civilized Tribes in the Indian Territory, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed in the presence of <sup>(3)</sup> —

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_. [L. S.] <sup>(4)</sup>  
\_\_\_\_\_. [L. S.] <sup>(4)</sup>  
\_\_\_\_\_. [L. S.] <sup>(4)</sup>  
\_\_\_\_\_. [L. S.] <sup>(4)</sup>

[Indorsement on Bond.]

DEPARTMENT OF THE INTERIOR.

WASHINGTON, D. C.

BOND.

of ———, covering the purchase of ———,  
in the ——— Nation, Indian Territory.  
Dated ———, 190 .

Approved:

\_\_\_\_\_  
*Secretary.*

<sup>1</sup>The Christian names and residences of principals and of the sureties, where personal sureties are given, of whom there must be two.

<sup>2</sup>Give description of land.

<sup>3</sup>There must be at least two witnesses to all signatures, though the same two persons may witness all.

<sup>4</sup>A seal must be attached by some adhesive substance to the signatures of principals and sureties.

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IN THE HOUSE OF REPRESENTATIVES

DECEMBER 19, 1903.

Mr. LITTLE (by request) introduced the following bill; which was referred to the Committee on the Judiciary and ordered to be printed.

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**A BILL**

To establish and provide for probate courts in the Indian Territory, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       That the territory known as the Indian Territory is hereby  
4       divided into twenty-five probate districts, which are bounded  
5       as follows:

6       Probate district numbered one shall comprise all of the  
7       reservations heretofore existing under the Quapaw Agency,  
8       and the place of holding said court in said district shall be at  
9       Miami, as provided in the Indian appropriation Act for the  
10      fiscal year ending June thirtieth, nineteen hundred and three.

11      Probate district numbered two shall begin at a point  
12      where the northern boundary line of the Indian Territory  
13      intersects with the western boundary line of the Quapaw  
14      Agency, thence in a southerly and easterly direction, following

*W. L. Little*

1 the western and southern boundaries of the Quapaw Agency  
 2 to the west line of the State of Missouri; thence south along  
 3 said boundary line to the dividing line between townships  
 4 twenty-three and twenty-four north; thence west along said  
 5 line to the dividing line between ranges seventeen and eight-  
 6 een east; thence north along said dividing line to the north-  
 7 ern boundary line of the Indian Territory; thence east along  
 8 said boundary line to place of beginning. The place of  
 9 holding said court for district numbered two shall be Vinita.

10 Probate district numbered three: Beginning at a point  
 11 where the range line between ranges seventeen and eighteen  
 12 east crosses the northern boundary line of the Indian Terri-  
 13 tory; thence south on said range line to the township line be-  
 14 tween townships twenty-four and twenty-five north; thence  
 15 west on said township line to the western boundary line of  
 16 the Indian Territory; thence north along said western bound-  
 17 ary line to the northern boundary line of the Indian Territory;  
 18 thence east to the place of beginning. The place of holding  
 19 said court for district numbered three shall be Nowata.

20 Probate district numbered four: Beginning at a point on  
 21 the western boundary line of the Indian Territory where  
 22 same is crossed by the township line between townships  
 23 twenty-four and twenty-five north; thence south along said  
 24 western boundary line to the township line between townships  
 25 nineteen and twenty north; thence east on said township line

1 to the range line between ranges seventeen and eighteen east;  
 2 thence north on said range line to the township line between  
 3 townships twenty-four and twenty-five north; thence west  
 4 to the place of beginning. The place of holding said court for  
 5 district numbered four shall be Claremore.

6 Probate district numbered five: Beginning at a point on  
 7 the eastern boundary line of the Indian Territory where same  
 8 is crossed by the township line between townships twenty-  
 9 three and twenty-four north; thence south along said eastern  
 10 boundary line to the township line between townships nineteen  
 11 and twenty north; thence west on said township line to the  
 12 range line between ranges seventeen and eighteen east; thence  
 13 north on said range line to the township line between town-  
 14 ships twenty-three and twenty-four north; thence east on said  
 15 township line to place of beginning. The place of holding  
 16 said court for district numbered five shall be Pryor Creek.

17 Probate district numbered six: Beginning at a point on  
 18 the eastern boundary line of the Indian Territory, where same  
 19 is crossed by the township line between townships nineteen  
 20 and twenty north; thence south on said eastern boundary  
 21 line to the township line between townships fourteen and  
 22 fifteen north; thence west on said township line to the  
 23 meridian line between ranges twenty and twenty-one east;  
 24 thence north on said meridian line to the township line be-  
 25 tween townships nineteen and twenty north; thence east on

1 said township line to place of beginning. The place of hold-  
2 ing said court for district numbered six shall be Tahlequah.

3 Probate district numbered seven: Beginning at a point  
4 where the meridian line between ranges twenty and twenty-  
5 one east crosses the township line between townships nine-  
6 teen and twenty north; thence west on said township line to  
7 the range line between ranges thirteen and fourteen east;  
8 thence south along said range line to the township line be-  
9 tween townships fifteen and sixteen north; thence east along  
10 said township line to the meridian line between ranges twenty  
11 and twenty-one east; thence north along said meridian line  
12 to the place of beginning. The place of holding said court  
13 for district numbered seven shall be Wagoner.

14 Probate district numbered eight: Beginning at a point  
15 on the range line between ranges thirteen and fourteen east,  
16 where same is crossed by the township line between town-  
17 ships nineteen and twenty north; thence west on said town-  
18 ship line to the western boundary line of the Indian Territory;  
19 thence south along said western boundary line to the town-  
20 ship line between townships fifteen and sixteen north; thence  
21 east on said township line to the range line between ranges  
22 thirteen and fourteen east; thence north along said range line  
23 to the place of beginning. The place of holding said court  
24 for district numbered eight shall be Sapulpa.

25 Probate district numbered nine: Beginning at a point on

1 the western boundary line of the Indian Territory where the  
2 same is crossed by the township line between townships fif-  
3 teen and sixteen north; thence south along said western  
4 boundary line to the northern boundary line of the Semi-  
5 nole Nation; thence eastwardly along said boundary line of  
6 the said Seminole Nation to the northeast corner of the  
7 Seminole Nation; thence south along said eastern boundary  
8 line of said Seminole Nation to the township line between  
9 townships ten and eleven north; thence east along said town-  
10 ship line to range line between ranges thirteen and fourteen  
11 east; thence north along said range line to the township line  
12 between townships fifteen and sixteen north; thence west  
13 along said township line to the place of beginning. The  
14 place of holding said court for district numbered nine shall be  
15 Okmulgee.

16 Probate district numbered ten: Beginning at a point  
17 where the range line between ranges thirteen and fourteen  
18 east intersects the township line between townships fifteen  
19 and sixteen north; thence south on the said range line to the  
20 township line between townships eleven and twelve north;  
21 thence east along said township line to the Arkansas River;  
22 thence up said Arkansas River to the intersection of said river  
23 with the meridian line, between ranges twenty and twenty-  
24 one east; thence north along said meridian line to the town-  
25 ship line between townships fifteen and sixteen north; thence

1 west to the point of beginning. The place of holding said  
2 court for district numbered ten shall be Muscogee.

3 Probate district numbered eleven: Beginning at a point  
4 on the eastern boundary line of the Indian Territory where  
5 same is crossed by the township line between townships four-  
6 teen and fifteen north; thence south along said eastern boun-  
7 dary line to the Arkansas River; thence up said Arkansas  
8 River to its intersection with the meridian line between ranges  
9 twenty and twenty-one east; thence north along said meridian  
10 line to the township line between townships fourteen and fif-  
11 teen north; thence east to the place of beginning. The place  
12 of holding said court for district numbered eleven shall be  
13 Sallisaw.

14 Probate district numbered twelve: Beginning at a  
15 point where the township line between townships eleven  
16 and twelve north intersects with the Arkansas River; thence  
17 down said Arkansas River to the mouth of the Canadian  
18 River; thence up said Canadian River to its intersection with  
19 the meridian line between ranges twenty and twenty-one  
20 east; thence south on said line to its intersection with the  
21 township line between townships seven and eight north;  
22 thence west along said township line to the range line be-  
23 tween ranges eleven and twelve east; thence north on said  
24 range line to the township line between townships ten and  
25 eleven north; thence east on said township line to the range

1 line between ranges thirteen and fourteen east; thence north  
2 on said range line to the township line between townships  
3 eleven and twelve north; thence east on the said township  
4 line to the place of beginning. The place of holding said  
5 court for district numbered twelve shall be Eufala.

6 Probate district numbered thirteen: Beginning at a point  
7 where the range line between ranges eleven and twelve east  
8 intersects the township line between townships ten and eleven  
9 north; thence south to the township line between townships  
10 seven and eight north; thence east on said township line to  
11 the Canadian River; thence up said Canadian River, follow-  
12 ing the meanderings thereof, to the western boundary line of  
13 the Seminole Nation; thence north along said western  
14 boundary line to the northern boundary line of the said Semi-  
15 nole Nation; thence eastwardly along said northern boundary  
16 line to the northeast corner of said nation; thence south along  
17 the eastern boundary line of said nation to the township line  
18 between townships ten and eleven north; thence east along  
19 said township line to the place of beginning. The place of  
20 holding said court for district numbered thirteen shall be  
21 Wewoka.

22 Probate district numbered fourteen: Beginning at a point  
23 on the eastern boundary line of the Indian Territory where  
24 same is crossed by the Arkansas River; thence south along  
25 said eastern boundary line of the Indian Territory to the base

1 boundary line of the Choctaw Nation; thence south on said  
 2 boundary line to the township line between townships one  
 3 and two south; thence west on said township line to the  
 4 range line between ranges three and four east; thence north  
 5 along said range line to its intersection with the South  
 6 Canadian River; thence down said South Canadian River,  
 7 following the meanderings thereof, to the place of beginning.  
 8 The place of holding said court for district numbered sixteen  
 9 shall be Ada.

10 Probate district numbered seventeen: Beginning at a  
 11 point where the township line between townships four and  
 12 five north intersects the range line between ranges three and  
 13 four east; thence south along said range line to the base line;  
 14 thence west on said base line to the meridian line between  
 15 ranges four and five west; thence north on said meridian line  
 16 to the township line between townships four and five north;  
 17 thence east on said township line to the place of beginning.  
 18 The place of holding said court for district numbered seven-  
 19 teen shall be Pauls Valley.

20 Probate district numbered eighteen: Beginning at a  
 21 point at the South Canadian River where the same intersects  
 22 the range line between ranges three and four east; thence  
 23 south on said range line to the township line between town-  
 24 ships four and five north; thence west on said township line

1 line; thence west along said base line to the meridian line  
 2 between ranges twenty and twenty-one east; thence north on  
 3 said meridian line to the Canadian River; thence down said  
 4 Canadian River to its confluence with the Arkansas River;  
 5 thence down said Arkansas River to the place of beginning.  
 6 The place of holding said court for district numbered fourteen  
 7 shall be Poteau.

8 Probate district numbered fifteen: Beginning at a point  
 9 where the meridian line between ranges twenty and twenty-  
 10 one east crosses the township line between townships seven  
 11 and eight north; thence south on said meridian line to the  
 12 township line between townships two and three north; thence  
 13 west on said township line to the range line between ranges  
 14 eighteen and nineteen east; thence south along said range line  
 15 to the line between townships one and two north; thence  
 16 west along said township line to the western boundary line  
 17 of the Choctaw Nation; thence north on said boundary line  
 18 to the South Canadian River; thence down said river to the  
 19 point where the dividing line between townships seven and  
 20 eight north intersects said river; thence east along said town-  
 21 ship line to the point of beginning. The place of holding  
 22 said court for district numbered fifteen shall be South  
 23 McAlester.

24 Probate district numbered sixteen: Beginning at a point  
 25 where the South Canadian River intersects with the western

1 to the meridian line between ranges four and five west; thence  
 2 north on said meridian line to the South Canadian River;  
 3 thence down said South Canadian River, following the mean-  
 4 derings thereof, to the place of beginning. The place of  
 5 holding said court for district numbered eighteen shall be  
 6 Purcell.

7 Probate district numbered nineteen: Beginning at a point  
 8 on the South Canadian River where the same intersects the  
 9 meridian line between ranges four and five west; thence  
 10 south along said meridian line to the base line; thence west  
 11 on said base line to the western boundary line of the Indian  
 12 Territory; thence north along said western boundary line to  
 13 the Canadian River; thence down said Canadian River, fol-  
 14 lowing the meanderings thereof, to the place of beginning.  
 15 The place of holding said court for district numbered nineteen  
 16 shall be Chickasha.

17 Probate district numbered twenty: Beginning at a point  
 18 on the western boundary line of the Indian Territory where  
 19 same intersects the base line; thence south along said west-  
 20 ern boundary line to the Red River; thence down said Red  
 21 River to its intersection with the range line between ranges  
 22 two and three west; thence north along said range line to  
 23 the base line; thence west on said base line to the place of  
 24 beginning. The place of holding said court for district num-  
 25 bered twenty shall be Ryan.

1 Probate district numbered twenty-one: Beginning at a  
 2 point where the range line between ranges two and three  
 3 west intersects the base line; thence south on said range line  
 4 to the Red River; thence east down said Red River, follow-  
 5 ing the meanderings thereof, to the range line between ranges  
 6 three and four east; thence north on said range line to the  
 7 base line; thence west on said base line to the place of begin-  
 8 ning. The place of holding said court for district numbered  
 9 twenty-one shall be Ardmore.

10 Probate district numbered twenty-two: Beginning at a  
 11 point where the range line between ranges three and four east  
 12 intersects the township line between townships one and two  
 13 south; thence south along said line to the Red River; thence  
 14 down Red River, following the meanderings thereof, to the  
 15 mouth of the Washita River; thence up the Washita River,  
 16 following the meanderings thereof, to the mouth of Butcher-  
 17 pen Creek; thence north up said Butcherpen Creek to the  
 18 township line between townships four and five south in range  
 19 seven east; thence east along said township line to the bound-  
 20 ary line between the Choctaw and Chickasaw nations in  
 21 range eight east; thence north along said line to the town-  
 22 ship line between townships one and two south; thence west  
 23 along said line to the point of beginning. The places of hold-  
 24 ing said court for district numbered twenty-two shall be

1 Tishomingo and also Madill, the terms of said court alter-  
2 nating.

3 Probate district numbered twenty-three: Beginning at  
4 a point where the township line between townships one and  
5 two north intersects with the range line between ranges fif-  
6 teen and sixteen east; thence south on that line to its intersec-  
7 tion with the line between townships two and three south;  
8 thence west to intersection of the last-named line with the  
9 range line between ranges fourteen and fifteen east; thence  
10 south to the township line between townships three and four  
11 south; thence west to the western boundary line of the Choctaw  
12 Nation; thence north on said boundary line to intersec-  
13 tion with the line between townships one and two north;  
14 thence east to point of beginning. The place of holding said  
15 court for district numbered twenty-three shall be Atoka.

16 Probate district numbered twenty-four: Beginning at a  
17 point where range line between ranges fifteen and sixteen  
18 east intersects the township line between townships one and  
19 two north; thence south along said line to its intersection with  
20 township line between townships two and three south; thence  
21 west along said line to range line between ranges fourteen and  
22 fifteen east; thence south on said line to the Red River;  
23 thence down Red River, following the meanderings thereof,  
24 to the eastern boundary of the Indian Territory; thence north  
25 along said eastern boundary line of the Indian Territory to

1 intersection with the base line; thence west along said line  
2 to the meridian line between ranges twenty and twenty-one  
3 east; thence north to township line between townships two  
4 and three north; thence west along said line to range line  
5 between ranges eighteen and nineteen east; thence south on  
6 said line to township line between townships one and two  
7 north; thence west on said line to point of beginning. The  
8 place of holding said court for district numbered twenty-four  
9 shall be Antlers.

10 Probate district numbered twenty-five: Beginning at a  
11 point on the western boundary line of the Choctaw Nation  
12 where it intersects the township line between townships three  
13 and four south; thence east along said line to range line be-  
14 tween ranges fourteen and fifteen east; thence south on said  
15 line to the Red River; thence up said Red River, following  
16 the meanderings thereof, to the mouth of the Washita River;  
17 thence up said Washita River to the mouth of Butcherpen  
18 Creek; thence north up said Butcherpen Creek to the town-  
19 ship line between townships four and five south, in range  
20 seven east; thence east along said township line to the bound-  
21 ary line between the Choctaw and Chickasaw nations; thence  
22 north on said boundary line to the point of beginning. The  
23 place of holding said court for district numbered twenty-five  
24 shall be Durant.

25 SEC. 2. That a United States court is hereby established

1 for each one of said districts as hereinbefore bounded, and  
 2 such courts shall be known as probate courts.

3 SEC. 3. That the provisions of chapter forty-two of  
 4 Mansfield's Digest of the General Laws of Arkansas, entitled  
 5 "Courts of probate," which are not locally inapplicable or in  
 6 conflict with this Act or with any law of Congress relating  
 7 to the subject specially mentioned in this section, are hereby  
 8 extended over and put in force in the Indian Territory; and  
 9 said courts hereby established shall have exclusive jurisdiction  
 10 over all persons and property in all probate matters within  
 11 the respective districts, and shall have civil jurisdiction in  
 12 both law and equity where the amount or value of the  
 13 thing or property in controversy shall not exceed one  
 14 thousand dollars, exclusive of interest and costs. Such  
 15 jurisdiction shall be concurrent with commissioner's courts  
 16 where the amount exceeds one hundred dollars and is  
 17 less than three hundred dollars, and exclusive where the  
 18 amount exceeds three hundred dollars and is less than one  
 19 thousand dollars, exclusive of interest and costs; and such  
 20 courts shall have concurrent jurisdiction with the district court  
 21 of forcible entry, and unlawful entry, and detainer cases, and  
 22 also all misdemeanors. Such criminal jurisdiction to be con-  
 23 current with the commissioner's courts: *Provided*, That in  
 24 cases where indictments are found by the grand jury of dis-  
 25 trict courts for misdemeanors, such indictments in misdemeanor

1 cases shall be transferred by order of the district court to the  
 2 probate court for the probate district in which the offense is  
 3 alleged to have been committed: *And provided further*, That  
 4 all Indian courts are hereby deprived of all civil jurisdiction,  
 5 and United States courts in the Indian Territory shall have  
 6 exclusive jurisdiction of all persons in civil matters.

7 SEC. 4. That all guardianship, administration, and pro-  
 8 bate matters now pending in the Indian courts and in the  
 9 United States district courts in the Indian Territory shall be  
 10 transferred with the records and original papers therein to the  
 11 probate courts in the probate districts in which the property  
 12 or a part thereof is situated, where such guardianship, admin-  
 13 istration, and probate matters shall be conducted as required  
 14 by law: *Provided*, That where the minor resides within the  
 15 Indian Territory the venue of this guardianship shall be the  
 16 probate district in which said minor resides.

17 SEC. 5. That appeals hereafter shall be taken from  
 18 mayor's courts and commissioner's courts to the United States  
 19 probate courts in the Indian Territory, from the final judg-  
 20 ment of said commissioners and said mayors; and such ap-  
 21 peals shall be taken in the same manner and under like con-  
 22 ditions that appeals may be taken from the final judgment of  
 23 justices of the peace under the provisions of chapter ninety-  
 24 one in civil cases and in chapter forty-six in criminal cases of  
 25 Mansfield's Digest of the General Laws of Arkansas. It

1 taining to guardianships and administrations of estates and all  
 2 probate matters. Such ex officio recorder and acting clerk of  
 3 said probate court shall collect and account for to the clerk of  
 4 the district court, who shall include the same in his report to  
 5 the proper department of the United States Government, the  
 6 same fees and for like services as are allowed clerks of pro-  
 7 bate courts in the State of Arkansas, as provided for by sec-  
 8 tion thirty-two hundred and forty-one of Mansfield's Digest  
 9 of the Laws of Arkansas.

10 SEC. 7. That the judges of such probate courts shall be  
 11 appointed by the United States judges for the several districts  
 12 in the Indian Territory in which the probate courts are  
 13 located, and shall be lawyers of recognized ability and ap-  
 14 proved character, residents of the probate districts for which  
 15 they are appointed, and shall hold their offices for a term of  
 16 four years from the date of their appointment and qualifica-  
 17 tion, or until their successors are appointed and qualified,  
 18 unless removed for cause by the district judge, and take the  
 19 same oath of office as is required of district judges, and shall  
 20 receive an annual salary of two thousand four hundred dollars  
 21 per year, to be paid from the Treasury of the United States  
 22 in like manner as salaries of district judges of the United  
 23 States are now paid.

24 SEC. 8. That appeals and writs of error may be prose-

1 being provided that United States district courts are hereby  
 2 deprived of jurisdiction in cases hereafter appealed from  
 3 United States commissioner's courts and mayor's courts in the  
 4 Indian Territory, in both civil and criminal cases, except as to  
 5 cases now pending on appeal in said courts, and all powers  
 6 and rights of appeal heretofore existing according to law in  
 7 favor of United States courts in the Indian Territory from  
 8 commissioner's and mayor's courts are now made applicable  
 9 to and such jurisdiction is conferred by this Act on the pro-  
 10 bate courts hereby established in the Indian Territory, in-  
 11 cluding both civil and criminal cases.

12 SEC. 6. That said probate courts shall hold four terms a  
 13 year at the places designated in this Act in said probate dis-  
 14 tricts, which terms shall begin on the first Mondays of Janu-  
 15 ary, April, July, and October, and shall continue until the  
 16 business is disposed of: *Provided*, That said courts shall at  
 17 all times be open for the purpose of appointing guardians and  
 18 administrators and making orders relative to property perish-  
 19 able and liable to waste. Such courts shall be courts of  
 20 record, and the clerk or deputy clerk, who is now ex officio  
 21 recorder, shall be ex officio clerk of such probate courts and  
 22 shall keep the minutes and records of the proceedings of the  
 23 same, including a record of all matters required to be of  
 24 record by the laws of the State of Arkansas heretofore and  
 25 herein adopted and extended over the Indian Territory per-

1 cuted in all cases from said probate courts to the court of ap-  
 2 peals for the Indian Territory as appeals and writs of error  
 3 are now prosecuted to said court of appeals from district  
 4 courts. The marshal shall serve all process from said courts  
 5 of probate and shall attend upon the same while in session,  
 6 and shall receive the same fees therefor as are allowed sheriffs  
 7 for like services under the statutes as the same appear in  
 8 Mansfield's Digest of the General Laws of Arkansas.

9 SEC. 9. That the jury commissioners for the United  
 10 States district courts in said Territory, after they have been  
 11 appointed, organized, and sworn in accordance with chapter  
 12 ninety of Mansfield's Digest of the general laws of Arkansas,  
 13 entitled "Jury," shall at each term, in addition to the duties  
 14 enjoined upon them in said chapter, also in like manner as is  
 15 therein provided for the selection of petit jurors for district  
 16 courts, select from the residents of such districts forty-eight  
 17 persons having the qualifications prescribed by law for petit  
 18 jurors in United States district courts of the Indian Territory,  
 19 and shall make two separate lists to contain the names of  
 20 twenty-four of such persons thus selected and to be as list  
 21 numbered one, and the other list to contain the names of the  
 22 other twenty-four of such persons thus selected and shall be  
 23 designated as list numbered two, and shall certify list numbered  
 24 one as the list of petit jurors for the first term of the  
 25 United States probate court for the probate district in

1 which said United States district court is located, convening  
 2 after the appointment and report of such jury commissioners,  
 3 and also certify list numbered two as the list of petit jurors  
 4 for the second term of United States probate court for said  
 5 probate district convening after the appointment and report  
 6 of said jury commissioners; and said lists so selected and cer-  
 7 tified shall each be inclosed in separate envelopes and sealed,  
 8 and the envelope in which the list numbered one is inclosed  
 9 and sealed shall be indorsed: "List of petit jurors for the first  
 10 term of probate court," and the envelope in which list num-  
 11 bered two is inclosed and sealed shall be indorsed: "List of  
 12 petit jurors for the second term of probate court," and deliv-  
 13 ered to the United States court in session as specified in sec-  
 14 tion thirty-nine hundred and eighty-three of Mansfield's  
 15 Digest of the Laws of Arkansas; and the judges of said  
 16 court shall deliver said lists to the clerk in open court and  
 17 administer the oath as is provided for in section thirty-nine hun-  
 18 dred and eighty-five of Mansfield's Digest. And before each  
 19 term of said probate court, as provided for in section thirty-nine  
 20 hundred and eighty-seven of Mansfield's Digest, the clerk of said  
 21 United States district court shall open the envelope in which  
 22 is inclosed and sealed and containing the list of petit jurors  
 23 for such term of court and make out a fair copy of the list of  
 24 petit jurors and give the same to the marshal of said district,  
 25 or his deputy, who shall at least three days prior to the first

1 day of the next term of such probate court summon the per-  
 2 sons named as petit jurors by giving personal notice, or by  
 3 leaving a written notice at the juror's place of residence with  
 4 some person over ten years of age, and return thereof shall  
 5 be made in accordance with the laws in force in the Indian  
 6 Territory. And if there shall not be sufficient number of  
 7 competent petit jurors present, and not excused, to form a  
 8 petit jury, the court may compel the attendance of such ab-  
 9 sentees or order other competent persons to be summoned to  
 10 complete the jury.

11 SEC. 10. That the petit jurors for said probate courts  
 12 shall receive the same compensation as petit jurors for the  
 13 United States district courts in the Indian Territory, and shall  
 14 be paid in the same manner as is provided for the payment  
 15 of such jurors in said United States district courts.

16 SEC. 11. That witnesses in criminal cases in said pro-  
 17 bate courts shall be entitled to the compensation that is pro-  
 18 vided in chapter sixty-three of Mansfield's Digest of the Laws  
 19 of Arkansas, and shall be paid in like manner as witness fees  
 20 are now paid in like cases in United States district courts in  
 21 the Indian Territory.

22 SEC. 12. That to the extent of the jurisdiction hereby  
 23 conferred said probate courts shall have all the powers, both  
 24 legal and equitable, possessed by the district courts, and  
 25 where the amount or value of the property or thing in

1 controversy exceeds the jurisdiction of said probate courts,  
 2 the judges of such courts may, in the absence of the district  
 3 judge, grant temporary restraining orders, injunctions, appoint  
 4 receivers, and make any orders necessary for the preservation  
 5 of property; all such orders to be returnable to the district  
 6 court and being subject to be vacated by order of the district  
 7 judge after reasonable notice in writing has been given the  
 8 opposite party of such motion to vacate.

9 SEC. 13. That the United States attorneys, with the  
 10 approval of the district judge, for the several districts of the  
 11 Indian Territory shall appoint for the several probate courts  
 12 within their respective districts deputies, who shall at the time  
 13 of their appointment be duly enrolled attorneys of the United  
 14 States court for such district, and who shall be competent and  
 15 of good standing, and shall hold office at the pleasure of the  
 16 United States district attorney, subject to be removed at any  
 17 time by order of the district judge, and who shall take the  
 18 same oath of office as the United States attorney, and whose  
 19 duties shall be to represent the Government in all criminal  
 20 prosecutions in such probate court, and whose compensation  
 21 shall be a fee of ten dollars in each case wherein a conviction  
 22 is had, which sum shall be taxed as a part of the costs of the  
 23 case; and when such costs are paid by or for the party con-  
 24 victed shall be paid by the clerk of the court to said deputy  
 25 prosecuting attorney. In the event that the costs are not

1 paid by or for the convicted party the Government shall not  
2 be liable for any compensation of such prosecuting attorney.

3 SEC. 14. That such deputy prosecuting attorneys and  
4 judges for such courts shall be appointed by orders in writing,  
5 and the several orders shall be spread upon the records of the  
6 district courts located in the respective probate districts, and  
7 same may be done in vacation.

8 SEC. 15. That in the event that the judge of the probate  
9 court is disqualified or physically disabled or incapacitated  
10 from holding court, upon such fact being certified by the clerk  
11 of said court to the district judge, he may appoint some mem-  
12 ber of the bar of said probate district to hold said court tem-  
13 porarily, who shall be entitled to compensation therefor at  
14 the rate of eight dollars per diem and mileage, to be paid in  
15 like manner as the regular judge of said court.

16 SEC. 16. That if for any cause the jury commissioners  
17 shall not appoint or shall fail to select a petit jury as pro-  
18 vided, or the panels selected be set aside, or the jury list  
19 returned in court shall be lost or destroyed, the court shall  
20 order the marshal to summon a petit jury of the number  
21 hereinbefore designated, who shall be sworn to perform the  
22 duties of petit jurors as if they had been regularly selected;  
23 and this provision shall also apply in the formation of petit  
24 jurors for the first term of the court. The want of qualifica-

1 tion of any person selected as juror shall not necessarily oper-  
2 ate as cause of challenge to the whole panel.

3 SEC. 17. That all laws relating to pleading, practice,  
4 procedure, and venue in the United States district courts of  
5 the Indian Territory are hereby made to apply to said pro-  
6 bate courts.

*Indian Appropriation Act*  
*Approved March 3/13*

[PUBLIC—No. 144.]

An Act Making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June thirtieth, nineteen hundred and four, 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 following sums be, and they are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of paying the current and contingent expenses of the Indian Department, and in full compensation for all offices the salaries for which are specially provided for herein, for the service of the fiscal year ending June thirtieth, nineteen hundred and four, and for fulfilling treaty stipulations with various Indian tribes, namely:

#### CURRENT AND CONTINGENT EXPENSES.

For pay of thirty-three agents of Indian affairs at the following-named agencies, at the rates respectively indicated, namely:

At the Blackfeet Agency, Montana, one thousand eight hundred dollars;

At the Cheyenne River Agency, South Dakota, one thousand seven hundred dollars;

At the Colville Agency, Washington, one thousand five hundred dollars;

At the Crow Creek Agency, South Dakota, one thousand six hundred dollars;

At the Crow Agency, Montana, one thousand eight hundred dollars;

At the Devils Lake Agency, North Dakota, one thousand two hundred dollars;

At the Flathead Agency, Montana, one thousand five hundred dollars;

At the Fort Belknap Agency, Montana, one thousand five hundred dollars;

At the Fort Berthold Agency, North Dakota, one thousand five hundred dollars;

At the Fort Hall Agency, Idaho, one thousand five hundred dollars;

At the Fort Peck Agency, Montana, one thousand eight hundred dollars;

At the Green Bay Agency, Wisconsin, one thousand eight hundred dollars;

At the Kiowa Agency, Oklahoma Territory, one thousand eight hundred dollars;

At the La Pointe Agency, Wisconsin, one thousand eight hundred dollars;

At the Leech Lake Agency, Minnesota, one thousand eight hundred dollars;

At the Lower Brule Agency, South Dakota, one thousand four hundred dollars;

At the Mission-Tule Agency, California, one thousand six hundred dollars;

At the Navajo Agency, New Mexico, one thousand eight hundred dollars;

At the New York Agency, New York, one thousand dollars;

At the Osage Agency, Oklahoma Territory, one thousand eight hundred dollars;

At the Pine Ridge Agency, South Dakota, one thousand eight hundred dollars;

At the Pottawatomie and Great Nemaha Agency, Kansas, one thousand five hundred dollars;

At the Rosebud Agency, South Dakota, one thousand eight hundred dollars;

At the Sac and Fox Agency, Iowa, one thousand dollars;

At the San Carlos Agency, Arizona, one thousand eight hundred dollars;

At the Shoshone Agency, Wyoming, one thousand five hundred dollars;

At the Sisseton Agency, South Dakota, one thousand five hundred dollars;

At the Standing Rock Agency, North Dakota, one thousand eight hundred dollars;

At the Tongue River Agency, Montana, one thousand five hundred dollars;

At the Uintah and Ouray Agency, Utah (consolidated), one thousand eight hundred dollars;

At the Union Agency, Indian Territory, two thousand five hundred dollars;

At the White Earth Agency, Minnesota, one thousand eight hundred dollars;

At the Yankton, South Dakota, Agency, one thousand six hundred dollars;

In all, fifty-four thousand one hundred dollars: *Provided*, That the foregoing appropriations shall not take effect nor become available in any case for or during the time in which any officer of the Army of the United States shall be engaged in the performance of the duties of Indian agent at any of the agencies above named: *Provided further*, That the Commissioner of Indian Affairs, with the approval of the Secretary of the Interior, may devolve the duties of any Indian agency or any part thereof upon the superintendent of the Indian training school located at such agency whenever in his judgment such superintendent can properly perform the duties of such agency. And the superintendent upon whom such duties devolve shall give bond as other Indian agents.

For payment of necessary interpreters, to be distributed in the discretion of the Secretary of the Interior, five thousand dollars; but no person employed by the United States and paid for any other service shall be paid for interpreting.

For pay of eight Indian inspectors, one of whom shall be an engineer competent in the location, construction, and maintenance of irrigation works, at two thousand five hundred dollars per annum each, twenty thousand dollars.

For traveling expenses of eight Indian inspectors, at three dollars per day when actually employed on duty in the field, exclusive of

transportation and sleeping-car fare, in lieu of all other expenses now authorized by law, and for incidental expenses of negotiation, inspection and investigation, including telegraphing and expenses of going to and going from the seat of government, and while remaining there under orders and direction of the Secretary of the Interior, for a period not to exceed twenty days, twelve thousand eight hundred dollars.

For pay of one superintendent of Indian schools, three thousand dollars.

For necessary traveling expenses of one superintendent of Indian schools, including telegraphing and incidental expenses of inspection and investigation, one thousand five hundred dollars: *Provided*, That he shall be allowed three dollars per day for traveling expenses when actually on duty in the field, exclusive of cost of transportation and sleeping-car fare, in lieu of all other expenses now allowed by law: *And provided further*, That he shall perform such other duties as may be imposed upon him by the Commissioner of Indian Affairs, subject to the approval of the Secretary of the Interior.

For buildings and repairs of buildings at agencies and for water supply at agencies, thirty-five thousand dollars.

For contingencies of the Indian Service, including traveling and incidental expenses of Indian agents and of their offices, and of the Commissioner of Indian Affairs; also traveling and incidental expenses of five special agents, at three dollars per day when actually employed on duty in the field, exclusive of transportation and sleeping-car fare, in lieu of all other expenses now authorized by law, and expenses of going to and going from the seat of government, and while remaining there under orders and direction of the Secretary of the Interior, for a period not to exceed twenty days; for pay of employees not otherwise provided for, and for pay of the five special agents, at two thousand dollars per annum each, forty thousand dollars: *Provided*, That when it becomes necessary to make large per capita payments to Indians, the Commissioner of Indian Affairs, with the approval of the Secretary of the Interior, is hereby authorized to require any disbursing officer of the Indian Department to file a special bond in such amount as may be necessary to make such payment in one installment, the expenses incurred in procuring such special bond to be paid by the United States from this appropriation.

For expenses of the commission of citizens, serving without compensation, appointed by the President under the provisions of the Act of April tenth, eighteen hundred and sixty-nine, four thousand dollars, of which sum an amount not to exceed three hundred dollars may be paid for the rent of an office for said commission; and it is provided further, that from the appropriation already made for the expenses of this commission for the current fiscal year ending July first, nineteen hundred and three, an amount not exceeding three hundred dollars may be paid for office rent for that year.

To enable the Secretary of the Interior to employ practical farmers and practical stockmen in addition to the agency farmers now employed, at wages not exceeding sixty-five dollars each per month, to superintend and direct farming and stock raising among such Indians as are making effort for self-support, one hundred and twenty-five thousand dollars.

For services of officers at fifteen dollars per month each, and pri-

vates at ten dollars per month each, of Indian police, to be employed in maintaining order and prohibiting illegal traffic in liquor on the several Indian reservations and within the Territory of Alaska, in the discretion of the Secretary of the Interior, for the purchase of equipments, and for the purchase of rations for policemen at nonration agencies, one hundred and thirty-five thousand dollars.

For compensation of judges of Indian courts, twelve thousand five hundred and forty dollars.

To enable the Secretary of the Interior to employ suitable persons as matrons to teach Indian girls in housekeeping and other household duties, at a rate not to exceed fifty dollars per month, and for furnishing necessary equipments, twenty-five thousand dollars.

Telegraphing, and purchase of Indian supplies: To pay the expense of purchasing goods and supplies for the Indian Service, and pay of necessary employees; advertising, at rates not exceeding regular commercial rates; inspection, and all other expenses connected therewith, and for telegraphing, fifty thousand dollars.

For necessary expenses of transportation of such goods, provisions, and other articles for the various tribes of Indians provided for by this Act, including pay and expenses of transportation agents and rent of warehouses, two hundred thousand dollars.

For pure vaccine matter and vaccination of Indians, five thousand dollars.

#### FULFILLING TREATY STIPULATIONS WITH AND SUPPORT OF INDIAN TRIBES.

##### CHIPPEWAS OF THE MISSISSIPPI.

For support of a school or schools upon said reservation, during the pleasure of the President, in accordance with third article of treaty of March nineteenth, eighteen hundred and sixty-seven, four thousand dollars.

##### CHOCTAWS.

For permanent annuity, per second article of treaty of November sixteenth, eighteen hundred and five, and thirteenth article of treaty of June twenty-second, eighteen hundred and fifty-five, three thousand dollars;

For permanent annuity for support of light horsemen, per thirteenth article of treaty of October eighteenth, eighteen hundred and twenty, and thirteenth article of treaty of June twenty-second, eighteen hundred and fifty-five, six hundred dollars;

For permanent annuity for support of blacksmith, per sixth article of treaty of October eighteenth, eighteen hundred and twenty, ninth article of treaty of January twentieth, eighteen hundred and twenty-five, and thirteenth article of treaty of June twenty-second, eighteen hundred and fifty-five, six hundred dollars;

For permanent annuity for education, per second and thirteenth articles of last two treaties named above, six thousand dollars;

For permanent annuity for iron and steel, per ninth article of treaty of January twentieth, eighteen hundred and twenty-five, and thirteenth article of treaty of June twenty-second, eighteen hundred and fifty-five, three hundred and twenty dollars;

For interest on three hundred and ninety thousand two hundred and fifty-seven dollars and ninety-two cents, at five per centum per annum, for education, support of the government, and other beneficial purposes, under the direction of the general council of the Choctaws, in conformity with the provisions contained in the ninth and thirteenth articles of treaty of January twentieth, eighteen hundred and twenty-five, and treaty of June twenty-second, eighteen hundred and fifty-five, nineteen thousand five hundred and twelve dollars and eighty-nine cents; in all, thirty thousand and thirty-two dollars and eighty-nine cents.

##### CHIPPEWAS OF MINNESOTA, REIMBURSABLE.

Advance interest to the Chippewa Indians in Minnesota, as required by section seven of "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota," approved January fourteenth, eighteen hundred and eighty-nine, to be expended under the direction of the Secretary of the Interior, in the manner required by said Act (reimbursable), ninety thousand dollars.

To enable the Commissioner of Indian Affairs, under the direction of the Secretary of the Interior, to carry out an Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota," approved January fourteenth, eighteen hundred and eighty-nine, namely, the purchase of material and employment of labor for the erection of houses for Indians; for the purchase of agricultural implements, stock, and seeds, breaking and fencing land; for payment of expenses of delegations of Chippewa Indians to visit the White Earth Reservation; for the erection and maintenance of day and industrial schools; for subsistence and for pay of employees; for pay of commissioner and his expenses, and for removal of Indians and for their allotments, to be reimbursed to the United States out of the proceeds of sale of their lands, one hundred and fifty thousand dollars.

For surveying, examining, appraising, logging, and selling the pine timber upon the ceded lands of the Chippewa Indian Reservations in Minnesota under the provisions of the Act approved January fourteenth, eighteen hundred and eighty-nine, as amended by the Act entitled "An Act to amend the Act entitled 'An Act for the relief and civilization of the Indians in the State of Minnesota,' approved June twenty-seventh, nineteen hundred and two," the sum of ninety thousand dollars, to be reimbursed to the United States out of the proceeds of the sale of the timber upon said lands, forty thousand dollars of which shall be immediately available.

##### CŒUR D'ALENES.

For twelfth of fifteen installments of eight thousand dollars each, to be expended under the direction of the Secretary of the Interior, under the sixth article of agreement of March twenty-sixth, eighteen hundred and eighty-seven, ratified by Act of March third, eighteen hundred and ninety-one, eight thousand dollars;

For pay of blacksmith, carpenter, and physician, and purchase of medicines, as per the eleventh article of said agreement, three thousand five hundred dollars; in all, eleven thousand five hundred dollars.

##### CROWS.

For the twenty-second of twenty-five installments, as provided in agreement with the Crows, dated June twelfth, eighteen hundred and

eighty, to be used by the Secretary of the Interior in such manner as the President may direct, thirty thousand dollars.

FORT HALL INDIANS.

For fifteenth of twenty installments, as provided in agreement with said Indians approved February twenty-third, eighteen hundred and eighty-nine, to be used by the Secretary of the Interior for the benefit of the Indians in such manner as the President may direct, six thousand dollars.

INDIANS AT BLACKFEET AGENCY.

For sixth of nine installments, to be disposed of as provided in article two of the agreement with the Indians of the Blackfeet Reservation ratified by Act approved June tenth, eighteen hundred and ninety-six, one hundred and fifty thousand dollars.

IOWAS.

For interest in lieu of investment on fifty-seven thousand five hundred dollars, balance of one hundred and fifty-seven thousand five hundred dollars, to July first, nineteen hundred and three, at five per centum per annum, for education or other beneficial purposes, under the direction of the President, per ninth article of treaty of May seventeenth, eighteen hundred and fifty-four, two thousand eight hundred and seventy-five dollars.

KANSAS.

For interest in lieu of investment on one hundred and thirty-five thousand dollars, being the amount due the Kansas tribe of Indians per second article of treaty of January fourteenth, eighteen hundred and forty-six, six thousand seven hundred and fifty dollars.

KICKAPOOS IN KANSAS.

For interest on sixty-five thousand eight hundred and seventy-eight dollars and seventy-seven cents, at five per centum per annum, for educational and other beneficial purposes, per treaty of May eighteenth, eighteen hundred and fifty-four, three thousand three hundred and twenty-seven dollars and seventy-two cents.

This amount to enable the President of the United States to pay the legal representatives of two deceased Kickapoo Indians, the settlement of whose estates is desired, under the provisions of section two of the Act of August fourth, eighteen hundred and eighty-six, such sum as may be the proportion of the one hundred thousand dollars provided for said tribe for education and other beneficial purposes, per treaty of May eighteenth, eighteen hundred and fifty-four, not exceeding three hundred and thirty-seven dollars and eighty-three cents each, six hundred and seventy-five dollars and sixty-six cents; in all, four thousand and three dollars and thirty-eight cents.

MOLELS.

For pay of teachers and for manual-labor schools, and for all necessary materials therefor, and for the subsistence of the pupils, per sec-

ond article of treaty of December twenty-first, eighteen hundred and fifty-five, three thousand dollars.

NORTHERN CHEYENNES AND ARAPAHOES.

For subsistence and civilization, as per agreement with the Sioux Indians approved February twenty-eighth, eighteen hundred and seventy-seven, including subsistence and civilization of Northern Cheyennes removed from Pine Ridge Agency to Tongue River, Montana, ninety thousand dollars;

For pay of physician, two teachers, two carpenters, one miller, two farmers, a blacksmith, and engineer, per seventh article of the treaty of May tenth, eighteen hundred and sixty-eight, nine thousand dollars; in all, ninety-nine thousand dollars.

OSAGES.

For interest on sixty-nine thousand one hundred and twenty dollars, at five per centum per annum, being value of fifty-four sections of land set apart by treaty of June second, eighteen hundred and twenty-five, for educational purposes, per Senate resolution of January ninth, eighteen hundred and thirty-eight, three thousand four hundred and fifty-six dollars.

PAWNEES.

For perpetual annuity, at least one-half of which is to be paid in goods and such articles as may be deemed necessary for them, per second article of treaty of September twenty-fourth, eighteen hundred and fifty-seven, thirty thousand dollars;

For support of two manual-labor schools, per third article of same treaty, ten thousand dollars;

For pay of two farmers, two blacksmiths, and two apprentices, one miller and apprentice, two teachers, one shoemaker, and one carpenter, five thousand four hundred dollars;

For pay of physician and purchase of medicines, one thousand two hundred dollars;

For purchase of iron and steel and other necessaries for the shops, as per fourth article of treaty of September twenty-fourth, eighteen hundred and fifty-seven, five hundred dollars; in all, forty-seven thousand one hundred dollars.

POTTAWATOMIES.

For permanent annuity, in silver, per fourth article of treaty of August third, seventeen hundred and ninety-five, three hundred and fifty-seven dollars and eighty cents;

For permanent annuity, in silver, per third article of treaty of September thirtieth, eighteen hundred and nine, one hundred and seventy-eight dollars and ninety cents;

For permanent annuity, in silver, per third article of treaty of October second, eighteen hundred and eighteen, eight hundred and ninety-four dollars and fifty cents;

For permanent annuity, in money, per second article of treaty of September twentieth, eighteen hundred and twenty-eight, seven hundred and fifteen dollars and sixty cents;

For permanent annuity, in specie, per second article of treaty of July twenty-ninth, eighteen hundred and twenty-nine, and second article of treaty of September twentieth, eighteen hundred and twenty-eight, five thousand seven hundred and twenty-four dollars and seventy-seven cents;

For permanent provision for payment of money in lieu of tobacco, iron, and steel, per second article of treaty of September twentieth, eighteen hundred and twenty-eight, and tenth article of treaties of June fifth and seventeenth, eighteen hundred and forty-six, one hundred and seven dollars and thirty-four cents;

For permanent provision for three blacksmiths and assistants, and for iron and steel for shops, per third article of treaty of October sixteenth, eighteen hundred and twenty-six; second article of treaty of September twentieth, eighteen hundred and twenty-eight, and second article of treaty of July twenty-ninth, eighteen hundred and twenty-nine, one thousand and eight dollars and ninety-nine cents;

For permanent provision for fifty barrels of salt, per second article of treaty of July twenty-ninth, eighteen hundred and twenty-nine, fifty dollars;

For interest on two hundred and thirty thousand and sixty-four dollars and twenty cents, at five per centum, in conformity with provisions of article seven of treaties of June fifth and seventeenth, eighteen hundred and forty-six, eleven thousand five hundred and three dollars and twenty-one cents; in all, twenty thousand five hundred and forty-one dollars and eleven cents.

## QUAPAWS.

For education, per third article of treaty of May thirteenth, eighteen hundred and thirty-three, one thousand dollars; for blacksmith and assistants, and tools, iron, and steel for blacksmith shop, per same article and treaty, five hundred dollars; in all, one thousand five hundred dollars: *Provided*, That the President of the United States shall certify the same to be for the best interest of the Indians.

## SACS AND FOXES OF THE MISSISSIPPI.

For permanent annuity, in goods or otherwise, per third article of treaty of November third, eighteen hundred and four, one thousand dollars; for interest on two hundred thousand dollars, at five per centum, per second article of treaty of October twenty-first, eighteen hundred and thirty-seven, ten thousand dollars; for interest on eight hundred thousand dollars, at five per centum, per second article of treaty of October eleventh, eighteen hundred and forty-two, forty thousand dollars: *Provided*, That the sum of one thousand five hundred dollars of this amount shall be used for the pay of a physician and for purchase of medicine; in all, fifty-one thousand dollars.

## SACS AND FOXES OF THE MISSOURI.

For interest on one hundred and fifty-seven thousand four hundred dollars, at five per centum, under the direction of the President, per second article of treaty of October twenty-first, eighteen hundred and thirty-seven, seven thousand eight hundred and seventy dollars;

For support of a school, per fifth article of treaty of March sixth, eighteen hundred and sixty-one, two hundred dollars; in all, eight thousand and seventy dollars.

## SEMINOLES.

For five per centum interest on two hundred and fifty thousand dollars, to be paid as annuity, per eighth article of treaty of August seventh, eighteen hundred and fifty-six, twelve thousand five hundred dollars;

For five per centum interest on two hundred and fifty thousand dollars, to be paid as annuity (they having joined their brethren West), per eighth article of treaty of August seventh, eighteen hundred and fifty-six, twelve thousand five hundred dollars;

For interest on fifty thousand dollars, at the rate of five per centum per annum, to be paid annually for the support of schools, as per third article of treaty of March twenty-first, eighteen hundred and sixty-six, two thousand five hundred dollars;

For interest on twenty thousand dollars, at the rate of five per centum per annum, to be paid annually for the support of the Seminole government, as per same article, same treaty, one thousand dollars; in all, twenty-eight thousand five hundred dollars.

## SENECAS OF NEW YORK.

For permanent annuity, in lieu of interest on stock, per Act of February nineteenth, eighteen hundred and thirty-one, six thousand dollars;

For interest, in lieu of investment, on seventy-five thousand dollars, at five per centum, per Act of June twenty-seventh, eighteen hundred and forty-six, three thousand seven hundred and fifty dollars;

For interest, at five per centum, on forty-three thousand and fifty dollars transferred from the Ontario Bank to the United States Treasury, per Act of June twenty-seventh, eighteen hundred and forty-six, two thousand one hundred and fifty-two dollars and fifty cents; in all, eleven thousand nine hundred and two dollars and fifty cents.

## SHOSHONES AND BANNOCKS.

SHOSHONES: For pay of physician, teacher, carpenter, miller, engineer, farmer, and blacksmith, as per tenth article of treaty of July third, eighteen hundred and sixty-eight, five thousand dollars;

For pay of second blacksmith, and such iron and steel and other materials as may be required, as per eighth article of same treaty, one thousand dollars;

BANNOCKS: For pay of physician, teacher, carpenter, miller, engineer, farmer, and blacksmith, as per tenth article of treaty of July third, eighteen hundred and sixty-eight, five thousand dollars; in all, eleven thousand dollars.

## SIX NATIONS OF NEW YORK.

For permanent annuity, in clothing and other useful articles, per sixth article of treaty of November eleventh, seventeen hundred and ninety-four, four thousand five hundred dollars.

SIoux OF DIFFERENT TRIBES, INCLUDING SANTEE SIOUX OF NEBRASKA.

For pay of five teachers, one physician, one carpenter, one miller, one engineer, two farmers, and one blacksmith, per thirteenth article of treaty of April twenty-ninth, eighteen hundred and sixty-eight, ten thousand four hundred dollars;

For pay of second blacksmith, and furnishing iron, steel, and other material, per eighth article of same treaty, one thousand six hundred dollars;

For pay of additional employees at the several agencies for the Sioux in Nebraska and in North Dakota and South Dakota, eighty-five thousand dollars;

For subsistence of the Sioux, and for purposes of their civilization, as per agreement ratified by Act of Congress approved February twenty-eighth, eighteen hundred and seventy-seven, eight hundred and fifty thousand dollars: *Provided*, That this sum shall include transportation of supplies from the termination of railroad or steamboat transportation, and in this service Indians shall be employed when practicable: *And provided further*, That the number of rations issued shall not exceed the number of Indians on each reservation, and any excess in the number of rations issued shall be disallowed in the settlement of the agent's account: *Provided further*, That the unexpended balance for the fiscal year nineteen hundred and three is hereby appropriated and made available for nineteen hundred and four;

For support and maintenance of day and industrial schools, including purchase, erection, and repairs of school buildings, in accordance with article seven of the treaty of April twenty-ninth, eighteen hundred and sixty-eight, which article is continued in force for twenty years by section seventeen of the Act of March second, eighteen hundred and eighty-nine, two hundred and twenty-five thousand dollars; in all, one million one hundred and seventy-two thousand dollars.

SIoux, YANKTON TRIBE.

For fifteenth of twenty installments (last series), to be paid to them or expended for their benefit, per fourth article of treaty of April nineteenth, eighteen hundred and fifty-eight, fifteen thousand dollars;

For subsistence and civilization of Yankton Sioux, heretofore provided for in appropriations under "Fulfilling treaty with Sioux of different tribes," and so forth, thirty thousand dollars; in all, forty-five thousand dollars.

SPOKANES.

For pay of a blacksmith and carpenter to do necessary work and to instruct the said Indians in those trades, one thousand dollars each, per sixth article of agreement with said Indians dated March eighteenth, eighteen hundred and eighty-seven, and ratified by Act of Congress approved July thirteenth, eighteen hundred and ninety-two, two thousand dollars.

CONFEDERATED BANDS OF UTES.

For pay of two carpenters, two millers, two farmers, and two blacksmiths, as per tenth article of treaty of October seventh, eighteen hundred and sixty-three, and fifteenth article of treaty of March

second, eighteen hundred and sixty-eight, six thousand seven hundred and twenty dollars;

For pay of two teachers, as per same article of same treaty, one thousand eight hundred dollars;

For purchase of iron and steel and the necessary tools for blacksmith shop, per ninth article of same treaty, two hundred and twenty dollars;

For annual amount for the purchase of beef, mutton, wheat, flour, beans, and potatoes, or other necessary articles of food, as per twelfth article of same treaty, thirty thousand dollars;

For pay of employees at the several Ute agencies, fifteen thousand dollars; in all, fifty-three thousand seven hundred and forty dollars.

WINNEBAGOES.

For interest on eight hundred and four thousand nine hundred and nine dollars and seventeen cents, at five per centum per annum, per fourth article of treaty of November first, eighteen hundred and thirty-seven, and joint resolution of July seventeenth, eighteen hundred and sixty-two, forty thousand two hundred and forty-five dollars and forty-five cents; and the Secretary of the Interior is hereby directed to expend said interest for the support, education, and civilization of said Indians;

For interest on seventy-eight thousand three hundred and forty dollars and forty-one cents, at five per centum per annum, to be expended under the direction of the Secretary of the Interior for the erection of houses, improvement of their allotments of land, purchase of stock, agricultural implements, seeds, and other beneficial objects, three thousand nine hundred and seventeen dollars and two cents; in all, forty-four thousand one hundred and sixty-two dollars and forty-seven cents.

MISCELLANEOUS SUPPORTS AND GRATUITIES.

For support and civilization of the Apaches, Kiowas, Comanches, Wichitas, and affiliated bands who have been collected in the reservations set apart for their use and occupation, thirty-five thousand dollars.

This amount, or so much thereof as may be necessary, to furnish such articles of food as, from time to time, the condition and necessities of the Crow Indians may require, fifteen thousand dollars.

For support and civilization of the Arapahoes and Cheyennes who have been collected on the reservations set apart for their use and occupation, fifty thousand dollars.

For support and civilization of the Chippewas of Lake Superior, Wisconsin, to be expended for agricultural and educational purposes; pay of employees, including pay of physician, at one thousand two hundred dollars; purchase of goods and provisions, and for such other purposes as may be deemed for the best interests of said Indians, seven thousand dollars.

For support and civilization of Turtle Mountain band of Chippewas, North Dakota, including seeds, thirteen thousand dollars.

For support and civilization of the confederated tribes and bands in middle Oregon, and for pay of employees, five thousand dollars.

For support and civilization of Digger Indians of California, and

for locating them on lands purchased for them, one thousand five hundred dollars.

For support and civilization of the D'Wamish and other allied tribes in Washington, including pay of employees, five thousand dollars.

For support and civilization of Carlos's Band of Flatheads, Montana, including pay of employees, six thousand dollars.

For support and civilization of the Flatheads and other confederated tribes, Montana, including pay of employees, six thousand dollars.

For support and civilization of the Apache and other Indians in Arizona and New Mexico who have been or may be collected on reservations in Arizona or New Mexico: *Provided*, That the unexpended balance for the fiscal year eighteen hundred and ninety-three is hereby appropriated and made available for nineteen hundred and four, two hundred and twenty-five thousand dollars.

For support and civilization of the Shoshones and Bannocks and other Indians of the Fort Hall Reservation in Idaho, including pay of employees, twenty thousand dollars.

For the support and civilization of Indians at Fort Berthold Agency, including pay of employees, forty thousand dollars.

For support and education and civilization of the Indians of the Fort Peck Agency in Montana, including pay of employees, fifty-five thousand dollars.

For support, civilization, and instruction of the Shoshones, Bannocks, Sheepeaters, and other Indians of the Lemhi Agency, Idaho, including pay of employees, thirteen thousand dollars.

For the support and civilization of Kaibabs in Utah, if, in the opinion of the Secretary of the Interior, the same is necessary, two thousand dollars.

For support, civilization, and instruction of the Klamaths, Modocs, and other Indians of the Klamath Agency, Oregon, including pay of employees, five thousand dollars.

For support and civilization of the Kansas Indians, Oklahoma Territory, including agricultural assistance and pay of employees, two thousand five hundred dollars.

For support and civilization of the Kickapoo Indians in Oklahoma Territory, five thousand dollars.

For the purchase of teams, farming implements, seeds, and other necessary articles for the Mexican Kickapoo Indians, known as the "Kicking Kickapoos," in Oklahoma Territory, in the discretion of the Secretary of the Interior, three thousand dollars.

For support and civilization of the Makahs, Washington, including pay of employees, three thousand dollars.

For purchase of agricultural implements, and support and civilization of Joseph's Band of Nez Perce Indians, two thousand dollars.

For support and civilization of the Indians of Pima Agency, Arizona, forty thousand dollars, to be expended for their benefit in such manner as the Secretary of the Interior, in his discretion, may deem best.

For support and civilization of the Ponca Indians, including pay of employees, fifteen thousand dollars: *Provided*, That this amount shall be divided pro rata among all the members of said tribe in Oklahoma Territory and in Nebraska and Dakota.

For support and civilization of the Qui-nai-elts and Quil-leh-utes, including pay of employees, one thousand dollars.

For the support and civilization of the Shebit Indians in Utah, if in the opinion of the Secretary of the Interior the same is necessary, two thousand dollars. The Secretary of the Interior is hereby authorized, in his discretion, to lease at a fair rental twenty acres of land, or so much thereof as may be necessary, of the tract now occupied by the Shebits Indians, for the use of the Utah and Eastern Copper Company in the erection and operation of a smelter: *Provided, however*, That the consent of three-fourths of the adult male Indians is obtained therefor.

For support and civilization of Shoshone Indians in Wyoming, thirty thousand dollars.

For support and civilization of Shoshone Indians in Nevada, including pay of employees, twelve thousand dollars.

For purchase of teams, farming implements, seeds, and other necessary articles for the Big Jim's Band of Absentee Shawnee Indians in Oklahoma Territory, in the discretion of the Secretary of the Interior, five thousand dollars.

For support and civilization of Sioux of Devils Lake, North Dakota, including pay of employees, and for the purchase of seeds, ten thousand dollars.

For support and civilization of Tonkawa Indians, Oklahoma Territory, and for seeds and agricultural implements, one thousand dollars.

For the purchase of subsistence and other necessaries for the support of the Hualpais in Arizona, five thousand dollars.

For support and civilization of the Walla Walla, Cayuse, and Umatilla tribes, Oregon, including pay of employees, four thousand dollars.

For support and civilization of Yakimas, and other Indians at said agency, including pay of employees, five thousand dollars.

#### GENERAL INCIDENTAL EXPENSES OF THE INDIAN SERVICE.

ARIZONA: For general incidental expenses of the Indian Service in Arizona, including traveling expenses of agents, one thousand five hundred dollars.

CALIFORNIA: For general incidental expenses of the Indian Service in California, including traveling expenses of agents, and support and civilization of Indians at the Round Valley, Hoopa Valley, and Tule River agencies, seven thousand dollars; and pay of employees at same agencies, eight thousand dollars; in all, fifteen thousand dollars.

COLORADO: For general incidental expenses of the Indian Service in Colorado, including traveling expenses of agents, one thousand dollars.

IDAHO: For general incidental expenses of the Indian Service in Idaho, including traveling expenses of agents, one thousand dollars.

INDIAN TERRITORY: For general incidental expenses of the Indian Service in the Indian Territory, including incidental expenses of the Indian inspector's office and for pay of employees, eighteen thousand dollars.

MONTANA: For general incidental expenses of the Indian Service in Montana, including traveling expenses of agents and pay of employees, eight thousand five hundred dollars.

NEVADA: For general incidental expenses of the Indian Service in

Nevada, including traveling expenses of agents, and support and civilization of Indians located on the Piute, Walker River, and Pyramid Lake reservations, eight thousand dollars; and pay of employees, including physician at the Walker River Reservation, at nine hundred dollars, four thousand nine hundred dollars; in all, twelve thousand nine hundred dollars.

**NEW MEXICO:** For general incidental expenses of the Indian Service in New Mexico, including traveling expenses of agents, one thousand five hundred dollars.

**NORTH DAKOTA:** For general incidental expenses of the Indian Service in North Dakota, including traveling expenses of agents at three agencies, one thousand five hundred dollars.

**OREGON:** For general incidental expenses of the Indian Service in Oregon, including traveling expenses of agents, and support and civilization of Indians of Grande Ronde and Siletz agencies, six thousand dollars; and pay of employees at the same agencies, four thousand dollars; in all, ten thousand dollars.

**SOUTH DAKOTA:** For general incidental expenses of the Indian Service in South Dakota, including traveling expenses of agents at seven agencies, three thousand five hundred dollars.

**UTAH:** For general incidental expenses of the Indian Service in Utah, including traveling expenses of agents, one thousand dollars.

**WASHINGTON:** For general incidental expenses of the Indian Service in Washington, including traveling expenses of agents, and support and civilization of Indians at Colville and Puyallup agencies, and for pay of employees, seventeen thousand dollars.

**WYOMING:** For general incidental expenses of the Indian Service in Wyoming, including traveling expenses of agents, one thousand dollars.

#### MISCELLANEOUS.

For salaries of four commissioners appointed under Acts of Congress approved March third, eighteen hundred and ninety-three, and March second, eighteen hundred and ninety-five, to negotiate with the Five Civilized Tribes in the Indian Territory, twenty thousand dollars: *Provided*, That said Commission shall exercise all the powers heretofore conferred upon it by Congress.

Expenses of commissioners and necessary expenses of employees, and three dollars per diem for expenses of a clerk detailed as special disbursing agent by the Interior Department while on duty with the Commission shall be paid therefrom; for clerical help, including secretary of the Commission and interpreters (Act of March third, nineteen hundred and one, volume thirty-one, page one thousand and seventy-four, section one), two hundred thousand eight hundred and fifteen dollars; contingent expenses of the Commission (same Act), two thousand dollars: *Provided further*, That this appropriation may be used by said Commission in the prosecution of all work to be done by or under its direction as required by law; in all, two hundred and twenty-two thousand eight hundred and fifteen dollars: *And provided further*, That not to exceed ten thousand eight hundred dollars of the above amount may be used in the temporary employment in the office of the Commissioner of Indian Affairs of four clerks, at the rate of one thousand six hundred dollars per annum; one clerk, at the rate of one thousand four hundred dollars, and who shall be competent to examine records

in disputed citizenship cases and law contests growing out of the work of said Commission, and in the temporary employment in said office of three competent stenographers, at the rate of one thousand dollars each per annum.

In pursuance of the provisions of section twenty-six of an Act to ratify and confirm an agreement with the Muscogee or Creek tribe of Indians, and for other purposes, approved March first, nineteen hundred and one, there is hereby awarded, as a final determination thereof, on the so-called "loyal Creek claims" named in said section twenty-six, the sum of six hundred thousand dollars, and the same is hereby appropriated out of any money in the Treasury not otherwise appropriated, and made immediately available. And the Secretary of the Treasury is hereby authorized to pay, under the direction of the Secretary of the Interior, to the loyal Creek Indians and freedmen named in articles three and four of the treaty with the Creek Nation of Indians of June fourteenth, eighteen hundred and sixty-six, the said sum of six hundred thousand dollars, to be paid to such Indians and freedmen only whose names appear on the list of awards made in their behalf by W. B. Hazen and F. A. Field, as commissioners on behalf of the United States to ascertain the losses of said Indians and freedmen as provided in said articles three and four; and such payments shall be made in proportion of the awards as set out in said list: *Provided*, That said sum shall be accepted by said Indians in full payment and satisfaction of all claim and demand growing out of said loyal Creek claims, and the payment thereof shall be a full release of the Government from any such claim or claims: *Provided, however*, That if any of said loyal Creek Indians or freedmen whose names are on said list of awards shall have died, then the amount or amounts due such deceased person or persons, respectively, shall be paid to their heirs or legal representatives: *And provided further*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to first withhold from the amount herein appropriated and pay to S. W. Peel, of Bentonville, Arkansas, the attorney of said loyal Creeks and freedmen, a sum equal to ten per centum of the amount herein appropriated, as provided by written contracts between the said S. W. Peel and the claimants herein, the same to be payment in full for all legal and other services rendered by him, or those employed by him, and for all disbursements and other expenditures had by him in behalf of said claimants in pursuance of said contract. *And further*, said Secretary is authorized and directed to pay to David M. Hodge, a Creek Indian, of Tulsa, in the Creek Nation, a sum equal to five per centum of the amount herein appropriated, which payment shall be in full for all claims of every kind made by said David M. Hodge, or by those claiming under him, by reason of any engagement, agreement, or understanding had between him and said loyal Creek Indians.

For personal and traveling expenses of the three judges of the Choctaw and Chickasaw citizenship court, five thousand dollars, or so much thereof as may be necessary; for one stenographer to each of said judges, to be appointed by them, respectively, at one hundred dollars per month each, three thousand six hundred dollars; for traveling expenses and subsistence of said stenographers, the reporter, and the bailiff of said court, not to exceed three dollars per day each, one thousand five hundred dollars, or so much thereof as may be necessary; in all, ten thousand one hundred dollars, to be immediately available.

The Supreme Court of the United States may transfer to the Choctaw and Chickasaw citizenship court the papers in the cases of Choctaw and Chickasaw citizenship appealed from the United States courts in the Indian Territory to the Supreme Court during the year eighteen hundred and ninety-eight.

That all causes transferred under section thirty-one of the Act of Congress of July first, nineteen hundred and two, entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes," to the citizenship court for the Choctaw and Chickasaw nations provided in said Act shall be tried and determined under the provisions of section thirty-two of said Act and disposed of the same as if appealed to such court under the provisions of section thirty-two of the said Act: *Provided*, That upon the final determination of cases within the jurisdiction of said citizenship court said court may fix reasonable compensation to the attorneys employed by contract dated January seventeenth, nineteen hundred and one, with the Choctaw and Chickasaw nations and such determinations shall be made irrespective of the rate fixed in said contract between said attorneys and said nations, or either of them, unless the same shall have received the approval of the Secretary of the Interior. And upon the final determination of said cases by said citizenship court the Treasurer of the United States is hereby directed to pay to said attorneys on the warrant or warrants drawn by the Secretary of the Interior the amount of such compensation out of any funds in the Treasury belonging to said nations. And the existence of the Choctaw and Chickasaw citizenship court is hereby extended until December thirty-first, nineteen hundred and four.

To pay all expenses incident to the survey, platting, and appraisement of town sites in the Choctaw, Chickasaw, Creek, and Cherokee nations, Indian Territory, as required by sections fifteen and twenty-nine of an Act entitled "An Act for the protection of the people of the Indian Territory, and for other purposes," approved June twenty-eighth, eighteen hundred and ninety-eight, and all Acts amendatory thereof or supplemental thereto, twenty-five thousand dollars: *Provided*, That the money hereby appropriated shall be applied only to the expenses incident to the survey, platting, and appraisement of town sites heretofore set aside and reserved from allotment: *And provided further*, That nothing herein contained shall prevent the survey and platting, at their own expense, of town sites by private parties where stations are located along the lines of railroads, nor the unrestricted alienation of lands for such purposes, when recommended by the Commission to the Five Civilized Tribes and approved by the Secretary of the Interior. That hereafter the Secretary of the Interior may, whenever the chief executive of the Choctaw or Chickasaw nations fails or refuses to appoint a town-site commissioner for any town, or to fill any vacancy caused by the neglect or refusal of the town-site commissioner appointed by the chief executive of the Choctaw or Chickasaw nations to qualify or act, in his discretion, appoint a commissioner to fill the vacancy thus created.

Section sixty-eight of the Act of Congress entitled "An Act to provide for the allotment of the lands of the Cherokee Nation, for the disposition of town sites therein, and for other purposes," approved July first, nineteen hundred and two, shall be so construed as to give the Eastern Cherokees, so called, including those in the Cherokee

Nation and those who remained east of the Mississippi River, acting together or as two bodies, as they may be advised, the status of a band or bands, as the case may be, for all the purposes of said section: *Provided*, That the prosecution of such suit on the part of the Eastern Cherokees shall be through attorneys employed by their proper authorities, their compensation for expenses and services rendered in relation to such claim to be fixed by the Court of Claims upon the termination of such suit; and said section shall be further so construed as to require that both the Cherokee Nation and said Eastern Cherokees, so called, shall be made parties to any suit which may be instituted against the United States under said section upon the claim mentioned in House of Representatives Executive Document Numbered Three hundred and nine of the second session of the Fifty-seventh Congress; and if said claim shall be sustained in whole or in part the Court of Claims, subject to the right of appeal named in said section, shall be authorized to render a judgment in favor of the rightful claimant, and also to determine as between the different claimants, to whom the judgment so rendered, equitably belongs either wholly or in part, and shall be required to determine whether, for the purpose of participating in said claim, the Cherokee Indians who remained east of the Mississippi River constitute a part of the Cherokee Nation, or of the Eastern Cherokees, so called, as the case may be.

For operating and repairing the flour mill at Pima Agency, Arizona, one thousand five hundred dollars.

For operating one portable sawmill for the Klamath Agency, Oregon, and for necessary repairs to same, one thousand five hundred dollars.

For operating one portable sawmill on the Nez Percé Indian Reservation, Idaho, and for necessary repairs to the same, one thousand five hundred dollars.

For pay of physician, New York Agency, six hundred dollars.

To enable the President to cause, under the provisions of the Act of February eighth, eighteen hundred and eighty-seven, entitled "An Act to provide for the allotment of lands in severalty to Indians," and so forth, such Indian reservations as in his judgment are advantageous for agricultural and grazing purposes to be surveyed or resurveyed, for the purposes of said Act, and to complete the allotment of the same, including the necessary clerical work incident thereto in the field, and delivery of trust patents, so far as allotments shall have been selected under said Act, forty thousand two hundred dollars. That the sum of twenty thousand dollars, or so much thereof as is necessary, is hereby appropriated, to be immediately available, for the purpose of aiding indigent and identified full-blood Mississippi Choctaws to remove to the Indian Territory, to be expended at the discretion and under the direction of the Secretary of the Interior.

For construction of ditches and reservoirs, purchase and use of irrigating tools and appliances, and purchase of water rights on Indian reservations, in the discretion of the Secretary of the Interior and subject to his control, one hundred and fifty thousand dollars: *Provided*, That the Secretary of the Interior may employ such number of superintendents of irrigation, who shall be skilled irrigation engineers, not to exceed four, as in his judgment may be necessary to secure the construction of ditches and other irrigation works in a substantial and workmanlike manner.

For survey and subdivision of Indian reservations and of lands to be allotted to Indians, and to make allotments in severalty, to be expended by the Commissioner of Indian Affairs, under the direction of the Secretary of the Interior, twenty thousand dollars.

For survey of lands within the Pine Ridge and Standing Rock Indian reservations, South Dakota, and for examination in the field of surveys, the sum of seventeen thousand dollars, to be immediately available, and for clerical work and stationery in the office of the surveyor-general required on surveys within the Pine Ridge and Standing Rock Indian reservations, South Dakota, the sum of three thousand two hundred dollars; in all, the sum of twenty thousand two hundred dollars.

For compensation of the commissioner authorized by the Indian appropriation Act approved June seventh, eighteen hundred and ninety-seven, to superintend the sale of land, and so forth, of the Puyallup Indian Reservation, Washington, who shall continue the work as therein provided, two thousand dollars.

That the principal chief of the Quapaw tribe, with the consent of the tribal council, may sell the surplus tract of one hundred and sixty acres of Quapaw land heretofore set apart for school purposes, and the Secretary of the Interior is directed to pay out the proceeds of such sale, per capita, to the Quapaw people: *Provided*, That the money hereinbefore appropriated "for education" per third article of the Quapaw treaty of May thirteenth, eighteen hundred and thirty-three, and the unexpended balance of the same heretofore appropriated, not to exceed two thousand dollars, shall be paid to the treasurer of the Quapaw tribe or nation, and expended by him, under the direction of the Quapaw Council, for educational purposes only.

To enable the Secretary of the Interior to do the necessary surveying and otherwise carry out the purposes of so much of the Act of May twenty-seventh, nineteen hundred and two, making appropriation for the current and contingent expenses of the Indian Department for the fiscal year nineteen hundred and three, and for other purposes, as provides for the allotment of the Indians of the Walker River Reservation in Nevada, and the Uintah and White River Utes in Utah, and the joint resolution of June nineteenth, nineteen hundred and two, providing for the allotment of the Indians of Spokane Reservation in Washington, to be immediately available, one hundred and seventy-five thousand dollars: *Provided, however*, That the Secretary of the Interior shall forthwith send an inspector to obtain the consent of the Uintah and White River Ute Indians to an allotment of their lands as directed by the Act of May twenty-seventh, nineteen hundred and two, and if their consent, as therein provided, can not be obtained by June first, nineteen hundred and three, then the Secretary of the Interior shall cause to be allotted to each of said Uintah and White River Ute Indians the quantity and character of land named and described in said Act: *And provided further*, That the grazing lands to be set apart for the use of the Uintah, White River Utes, and other Indians, as provided by public resolution numbered thirty-one, of June nineteenth, nineteen hundred and two, be confined to the lands south of the Strawberry River on said Uintah Reservation, and shall not exceed two hundred and fifty thousand acres: *And provided further*, That the time for opening the unallotted lands to public entry on said Uintah Reservation, as provided by the Act of May twenty-seventh,

nineteen hundred and two, be, and the same is hereby, extended to October first, nineteen hundred and four.

That in the lands within the former Uncompahgre Indian Reservation, in the State of Utah, containing gilsonite, asphaltum, elaterite, or other like substances, which were reserved from location and entry by provision in the Act of Congress entitled "An Act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes," approved June seventh, eighteen hundred and ninety-seven, all discoveries and locations of any such mineral lands by qualified persons prior to January first, eighteen hundred and ninety-one, not previously discovered and located, who recorded notices of such discoveries and locations prior to January first, eighteen hundred and ninety-one, either in the State of Colorado, or in the office of the County recorder of Uintah County, Utah, shall have all the force and effect accorded by law to locations of mining claims upon the public domain. All such locations may hereafter be perfected, and patents shall be issued therefor upon compliance with the requirements of the mineral land laws, provided that the owners of such locations shall relocate their respective claims and record the same in the office of the County recorder of Uintah County, Utah, within ninety days after the passage of this Act. All locations of any such mineral lands made and recorded on or subsequent to January first, eighteen hundred and ninety-one, are hereby declared to be null and void; and the remainder of the lands heretofore reserved as aforesaid because of the mineral substances contained in them, in so far as the same may be within even numbered sections, shall be sold and disposed of in tracts not exceeding forty acres, or a quarter of a quarter of a section, in such manner and upon such terms and with such restrictions as may be prescribed in a proclamation of the President of the United States issued for that purpose not less than one hundred and twenty days after the passage of this Act, and not less than ninety days before the time of sale or disposal, and the balance of said lands and also all the mineral therein are hereby specifically reserved for future action of Congress.

That the Secretary of the Interior be, and he is hereby, directed to negotiate with the Weeminuchi Ute tribe of Indians for the relinquishment of their right of occupancy to the United States to the tract of land known as the Mesa Verde—a part of the reservation of said tribe—situate in the county of Montezuma, in the State of Colorado; the said tract to include and cover the ruins and prehistoric remains situate therein. And the Secretary of the Interior shall report to the next session of Congress the terms and conditions upon which the said tribe of Indians will relinquish to the United States their right of occupancy to said tract of land.

To maintain at the city of Omaha, Nebraska, in the discretion of the Secretary of the Interior, a warehouse for the receipt, storage, and shipping of goods for the Indian Service, ten thousand dollars.

To maintain at the city of Saint Louis, Missouri, in the discretion of the Secretary of the Interior, a warehouse for the receipt, storage, and shipping of goods for the Indian Service, ten thousand dollars.

To enable the President to cause to be allotted, 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," the lands in said separate reservations as provided in said Act, including the necessary resurveys, ten thousand dollars.

For the equipment and maintenance of the asylum for insane Indians at Canton, South Dakota, for incidental and all other expenses necessary for its proper conduct and management, including pay of employees, and for necessary expense of transporting insane Indians to and from said asylum, twenty-five thousand dollars.

For pay of one special attorney for the Pueblo Indians of New Mexico, one thousand five hundred dollars, and for necessary traveling and incidental expenses of one special attorney for the Pueblo Indians of New Mexico, five hundred dollars; in all, two thousand dollars.

That any part of the one hundred thousand dollars for the removal and support of the Mission Indians in California, appropriated by the Act of May twenty-seventh, nineteen hundred and two, making appropriations for the Indian Service for the fiscal year nineteen hundred and three, not needed for the purposes specified in that Act, may, in the discretion of the Secretary of the Interior, be used for the purchase of other tracts of land in California upon which to locate said Mission Indians and for the removal of such Indians to such purchased tract or tracts of land, and for acquiring, distributing, and developing water for the use of such Indians, and for the purchase of such building materials, agricultural implements, harness, wagons and horses, subsistence supplies, and other necessaries as may be required to properly establish such Indians in their new locations.

That the Secretary of the Interior is authorized to use three hundred and fifty dollars of the one hundred thousand dollars appropriated for the removal and support of the Mission Indians in California by the Act of May twenty-seventh, nineteen hundred and two, making appropriations for the current and contingent expenses of the Indian Department for the fiscal year nineteen hundred and three, to pay the expenses incurred by the commission created by said Act, this being in addition to any other sums authorized for that purpose.

That the sum of two thousand nine hundred and eighteen dollars and five cents, or so much thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, to be paid to the American Surety Company of New York, a corporation duly organized and existing under and by virtue of the laws of the State of New York for the purpose of giving bonds and undertakings required by law, to indemnify said company in the amount or amounts it may actually be required to disburse or expend by the final decree of the proper court, under two separate undertakings on appeal, as damages and costs assessed against and for the value of the use and occupation of real property occupied by the defendants, who are Mission Indians of California, in the suits entitled *J. Downey Harvey, administrator, and others, versus Allejandro Barker and others*, and *J. Downey Harvey, administrator, and others, versus Jose Quevas and others*, which suits were appealed from the decision of the superior court of the county of San Diego, State of California, to the supreme court of California, and to the Supreme Court of the United States, by direction of the Attorney-General of the United States, being cases numbered two hundred and nine and two hundred and ten, respectively, in the October term, nineteen

hundred, of the latter court; also to include costs in any suit that may be pending or that may hereafter be instituted to determine the liability under such undertakings: *Provided*, That no payments shall be made hereunder until proper vouchers evidencing the expenditures by said company under said undertakings shall have been presented to and approved by the Secretary of the Interior: *Provided further*, That if it shall be shown to the satisfaction of the Secretary of the Interior that said American Surety Company has been reimbursed or indemnified, then the money hereby appropriated, or so much thereof as may be necessary, shall be paid, in whole or in part, to the persons who have reimbursed or indemnified the said company, as the interests of such persons may appear.

To pay the persons who compiled and indexed the two volumes of the treaties, laws, Executive orders, and so forth, relating to Indian affairs, under Senate resolution of May twentieth, nineteen hundred and two, five thousand dollars of which said sum so much as may be necessary, may be expended as additional pay or compensation to any officer or employee of the United States, to be immediately available, and to be paid only upon vouchers signed by the chairman of the Committee on Indian Affairs of the Senate.

For the purpose of compromising, settling and finally disposing of the case of the United States against William H. Thomas and others, which suit was begun in equity and has been prosecuted in the circuit court of the United States for the western district of North Carolina for the benefit of the Eastern Band of Cherokee Indians of North Carolina, the sum of four thousand dollars, to be paid to the said band of Indians by and under the direction of the Attorney-General of the United States whenever, in his judgment, such payment will operate to secure a complete settlement of all matters pertaining to such litigation.

For the payment of settlers within the boundaries of the Northern Cheyenne Indian Reservation, Montana, for improvements upon certain lands situated therein, two thousand nine hundred and sixty-five dollars: *Provided*, That the Secretary of the Interior shall and does, in his discretion, ratify and approve, under the provisions of section ten of the Indian appropriation Act, approved July first, eighteen hundred and ninety-eight (Thirtieth Statutes, pages five hundred and ninety-six and five hundred and ninety-seven), the agreement entered into thereunder by United States Inspector James McLaughlin with the settlers included within the boundaries of said reservation, submitted by him to the Secretary of the Interior with his report, dated January sixteenth, nineteen hundred and one, and shall find, after investigation, that the improvements of said settlers remain intact and in good condition: *And provided further*, That the settlers shall remove immediately from the reservation upon the payment of the sums, according to their respective agreements, as ratified and approved by the Secretary of the Interior. And any private lands occupied by actual settlers over which an Indian reservation has been or may be extended by Executive order may be exchanged, at the discretion of the Secretary of the Interior, and at the expense of the owner thereof, under such rules and regulations as may be prescribed by the Secretary of the Interior, for vacant, nonmineral, nontimbered, surveyed public lands of like area and value, and situated in the same State or Territory.

To pay S. W. Campbell, Indian agent at the La Pointe Agency,

Wisconsin, the sum of one hundred dollars, advanced by him as attorney's fees, and the further sum of one hundred and eleven dollars and ninety-one cents, paid by him as interest on money borrowed to pay employees of the agency, both at the request of the Interior Department; in all, two hundred and eleven dollars and ninety-one cents.

To pay Reuben Perry, superintendent of the Lac du Flambeau Boarding School, Wisconsin, the sum of fifty-seven dollars and ninety cents, paid by him for attorney's fees in defending suit in the circuit court of Oneida County, Wisconsin, by direction of the Secretary of the Interior, fifty-seven dollars and ninety cents.

For payment to Huff Jones, of Oconto, Wisconsin, his heirs or legal representatives, the sum of one thousand two hundred and twenty-six dollars and thirty-nine cents, in full for money expended under an agreement with William T. Richardson, United States Indian agent at Green Bay, Wisconsin, in November, eighteen hundred and seventy-two, for shanties, stables, roads, and supply road constructed by him upon such Indian reservation.

For payment to Peter La Blanc, a Sisseton Indian, who served in the Army of the United States during the war of the rebellion, the sum of one thousand four hundred and ninety-eight dollars and sixty-nine cents, being the aggregate amount which was paid each of the Sisseton, Wahpeton, Medawakanton, and Wahpakoota scouts and soldiers not parties to the agreement between the United States and the Sisseton and Wahpeton bands of Dakota and Sioux Indians on the twelfth day of September, eighteen hundred and eighty-nine, of the amounts appropriated by Congress by the Acts of March third, eighteen hundred and ninety-one, March third, eighteen hundred and ninety-three, and March second, eighteen hundred and ninety-five, which amount he did not receive by reason of his name being omitted from the rolls.

To reimburse William G. Malin, Indian agent for the Sac and Fox tribe of Indians in Iowa, for certain expenses (court costs, sheriffs' and attorneys' fees) paid by him in obtaining the appointment of guardians for Indian minors by the district court of Tama County, Iowa, one hundred and ninety dollars and forty-eight cents, to be immediately available.

That the Secretary of the Treasury is hereby authorized and directed to pay to Joseph H. Lee, senior, of Tuba, Arizona, the sum of three thousand seven hundred dollars for his property purchased within the external boundaries of the Navajo Indian Reservation, instead of to Ernest A. Lee, as provided by the Indian appropriation Act approved May twenty-seventh, nineteen hundred and two: *Provided*, That said sum shall only be paid upon the presentation of a general release executed by said Ernest A. Lee, or his legal representative.

That the Secretary of the Interior be, and is hereby, authorized to sell, in such manner as he may deem best, for cash, the three hundred and nineteen and seventy-two one-hundredths acres, the west half of section three, township eleven north, range two east of the Indian meridian, reserved for agency and school purposes by article two of the agreement of June twenty-first, eighteen hundred and ninety-one, ratified and confirmed by Act of Congress approved March third, eighteen hundred and ninety-three (Twenty-seventh Statutes, page five hundred and fifty-seven), the proceeds of the sale of said tract of land to be applied and used for enlarging the school plant of the Absentee

al Training School, Oklahoma, so as to provide such children of the Mexican Kickapoo, Menominee, and Pottawatomie Indians as are unable to attend school, without such Government educational

the Interior shall determine the same to be in the city of Lawton, in the Territory of Oklahoma, and permitted, upon such conditions as the Interior may prescribe, to erect, within the limits of the reservation, a pumping station, and such other permanent and necessary buildings as may be required to furnish said city with

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For support and education of three hundred Indian pupils at the Indian school at Carson City, Nevada, fifty thousand one hundred dollars; for pay of superintendent at said school, one thousand seven hundred dollars; for general repairs and improvements, four thousand dollars; for steam heating plant, seven thousand dollars; for water system, including purchase of land to secure water rights, fifteen thousand dollars; in all, seventy-seven thousand eight hundred dollars.

For support of six hundred Indian pupils at the Indian school at Chilocco, Oklahoma Territory, one hundred thousand two hundred dollars; for pay of superintendent at said school, two thousand two hundred and fifty dollars; for general repairs and improvements, ten thousand dollars; for addition to boys' dormitory, twelve thousand dollars; for horse barn, ten thousand dollars; for laundry building, five thousand dollars; for cottages, four thousand dollars; in all, one hundred and forty-three thousand four hundred and fifty dollars.

For support and education of three hundred and seventy-five Indian pupils at The Riggs Institute, Flandreau, South Dakota, sixty-two thousand six hundred and twenty-five dollars; for general repairs and improvements, four thousand dollars, to be immediately available; for pay of superintendent of said school, one thousand eight hundred dollars; for two lavatories, two thousand dollars; for coal storeroom, one thousand five hundred dollars, in addition to four thousand dollars heretofore appropriated; for amount for brick office and warehouse, two thousand dollars, in addition to four thousand dollars heretofore appropriated, which two items are hereby made immediately available; in all, seventy-six thousand four hundred and twenty-five dollars.

For support and education of two hundred Indian pupils at the Indian school, Fort Mojave, Arizona, thirty-three thousand four hundred dollars; for pay of superintendent of said school, one thousand six hundred dollars; for general repairs and improvements, two thousand dollars; for dining room and kitchen, twenty thousand dollars; in all, fifty-seven thousand dollars.

For support and education of three hundred Indian pupils at Indian school, Fort Totten, North Dakota, fifty thousand one hundred dollars; for pay of superintendent at said school, one thousand seven hundred dollars; for general repairs and improvements, five thousand dollars; in all, fifty-six thousand eight hundred dollars.

For support and education of three hundred Indian pupils at the Indian school, Genoa, Nebraska, fifty thousand one hundred dollars; for general repairs and improvements, five thousand dollars; for pay of superintendent of said school, one thousand seven hundred dollars; for horse barn, two thousand five hundred dollars; for water system, six thousand dollars; in all, sixty-five thousand three hundred dollars.

Support and education of two hundred Indian pupils at the Indian school at Grand Junction, Colorado, thirty-three thousand four hundred dollars; pay of superintendent at said school, one thousand six hundred dollars; general repairs and improvements, four thousand five hundred dollars; heating and ventilating, seven thousand six hundred and twenty-five dollars; shops building, six thousand dollars; in all, fifty-three thousand one hundred and twenty-five dollars.

For the support and education of one hundred and twenty Indian pupils at the school at Hampton, Virginia, twenty thousand and forty dollars.

For support and education of one hundred and seventy-five pupils at the Indian school at Hayward, Wisconsin, twenty-nine thousand two hundred and twenty-five dollars; for pay of superintendent, one thousand three hundred dollars; general repairs and improvements, two thousand dollars; for erection of hospital, five thousand dollars; for erection of employees' quarters, four thousand dollars; in all, forty-one thousand five hundred and twenty-five dollars: *Provided*, That, if in the discretion of the Commissioner of Indian Affairs it becomes necessary to continue at said school an excess of pupils over one hundred and twenty-five for the remainder of the fiscal year ending June thirtieth, nineteen hundred and three, there is hereby appropriated therefor, to be immediately available, not exceeding eight thousand three hundred and fifty dollars.

For support and education of seven hundred and fifty Indian pupils at the Indian school, Haskell Institute, Lawrence, Kansas, for transportation of pupils to and from said school, one hundred and twenty-five thousand two hundred and fifty dollars; for pay of superintendent at said school, two thousand two hundred and fifty dollars; for tile-draining farm, five thousand dollars; for fire escapes, one thousand five hundred dollars; for extending sewer, one thousand six hundred dollars; for erection of barns, purchase of farm implements and necessary work teams, eight thousand dollars, to be immediately available; for general repairs and improvements, eight thousand dollars; in all, one hundred and fifty-one thousand six hundred dollars.

For support and education of seventy Indian pupils at the Indian school, Kickapoo Reservation, Kansas, eleven thousand six hundred and ninety dollars; for pay of superintendent, eight hundred and forty dollars; repairs and minor buildings, one thousand dollars; in all, thirteen thousand five hundred and thirty dollars.

For the support and education of one hundred and fifty Indian pupils at Morris, Minnesota, Indian School, twenty-five thousand and fifty dollars; pay of superintendent, one thousand five hundred dollars; for laundry and steam heat for dining hall, seven thousand dollars; for the construction of a superintendent's cottage, three thousand dollars; for general repairs and improvements, one thousand dollars; in all, thirty-seven thousand five hundred and fifty dollars.

For support and education of three hundred Indian pupils at the Indian school, Mount Pleasant, Michigan, fifty thousand one hundred dollars; for pay of superintendent of said school, one thousand seven hundred dollars; for general repairs and improvements, three thousand five hundred dollars; for additional for hospital, two thousand dollars; for water-supply completion, two thousand seven hundred dollars; in all, sixty thousand dollars.

For support and education of seven hundred Indian pupils at the Indian school at Phoenix, Arizona, one hundred and sixteen thousand nine hundred dollars; for general repairs and improvements, twelve thousand dollars; for pay of superintendent at said school, two thousand two hundred and fifty dollars; addition to hospital, three thousand dollars; for cold storage, five thousand dollars; electric lighting plant, seven thousand dollars; water system, seven thousand five hundred dollars; in all, one hundred and fifty-two thousand six hundred and fifty dollars.

For support and education of one hundred and fifty Indian pupils at Indian industrial school at Pierre, South Dakota, twenty-five thou-

sand and fifty dollars; for pay of superintendent of said school, one thousand five hundred dollars; for general repairs and improvements, two thousand dollars; lighting plant, three thousand dollars; for carpenter and shoe shop, five thousand dollars; in all, thirty-six thousand five hundred and fifty dollars.

For support and education of one hundred and fifty Indian pupils at the Indian school, Pipestone, Minnesota, twenty-five thousand and fifty dollars; for pay of superintendent at said school, one thousand five hundred dollars; for general repairs and improvements, one thousand dollars; for laundry building and improvements, seven thousand dollars; for enlargement of boys' dormitory, to supplement the appropriation made in the Act for the current year, and to be immediately available, four thousand dollars; for improvement in water plant, two thousand five hundred dollars; for industrial-school building, to be constructed of stone, fifteen thousand dollars; in all, fifty-six thousand and fifty dollars.

For support and education of two hundred and twenty-five Indian pupils, Rapid City, South Dakota, thirty-seven thousand five hundred and seventy-five dollars; for pay of superintendent, one thousand six hundred dollars; for general repairs and improvements, two thousand five hundred dollars; for water plant, six thousand dollars; for additional buildings and improvements to complete plant, sixteen thousand dollars, to be immediately available; for the purchase of additional land with perpetual water right for the irrigation thereof, not exceeding one hundred and sixty-two acres, eleven thousand seven hundred and forty-five dollars, to be immediately available: *Provided*, That in the purchase of said land, not more than seventy-two dollars and fifty cents per acre shall be paid; in all, sixty-two thousand seven hundred and ninety-five dollars.

For support and education of four hundred and fifty pupils at the Indian school, Riverside, California, seventy-five thousand one hundred and fifty dollars; for pay of superintendent, two thousand dollars; for bake shop, two thousand dollars; for dormitories, thirty-six thousand dollars; three double cottages, nine thousand dollars; for additional warehouse, two thousand dollars; for general repairs and minor improvements, six thousand dollars; in all, one hundred and thirty-two thousand one hundred and fifty dollars: *Provided*, That so much of said amounts as may be necessary in the judgment of the Commissioner of Indian Affairs may be used for the education and support of pupils and repairs to the plant at the Indian school, Perris, California, which is hereby consolidated with the Indian school, Riverside, California.

For support and education of five hundred and fifty pupils at the Indian school, Salem, Oregon, and for transportation of pupils to and from said school, ninety-one thousand eight hundred and fifty dollars; for pay of superintendent at said school, two thousand dollars; for barn, two thousand five hundred dollars; for dairy building, two thousand dollars; for extension to water system, deep wells and tank, three thousand dollars; for general repairs and improvements, five thousand dollars; in all, one hundred and six thousand three hundred and fifty dollars.

For the support and education of eighty Indian pupils, Sac and Fox Reservation, Iowa, thirteen thousand three hundred and sixty dollars; for pay of superintendent, one thousand dollars; for general repairs

and improvements, five hundred dollars; residence and office for superintendent, two thousand five hundred dollars; in all, seventeen thousand three hundred and sixty dollars.

For support and education of three hundred Indian pupils at the Indian school at Santa Fe, New Mexico, fifty thousand one hundred dollars; for pay of superintendent at said school, one thousand seven hundred dollars; for water supply, one thousand five hundred dollars; for general repairs and improvements, three thousand dollars; steam plant, fifteen thousand dollars; artesian well, five thousand dollars; in all, seventy-six thousand three hundred dollars.

For support and education of one hundred and seventy-five Indian pupils at the Indian school, Shoshone Reservation, Wyoming, twenty-nine thousand two hundred and twenty-five dollars; for pay of superintendent at said school, one thousand four hundred dollars; for general repairs and improvements, five thousand dollars; for new boiler and smokestack, one thousand dollars; in all, thirty-six thousand six hundred and twenty-five dollars.

For support and education of seventy-five pupils at the Indian school in southern Utah, twelve thousand five hundred and twenty-five dollars; pay of superintendent, nine hundred dollars; general repairs and improvements, five hundred dollars; in all, thirteen thousand nine hundred and twenty-five dollars.

For the support and education of two hundred and twenty-five Indian pupils at the Indian school, Tomah, Wisconsin, thirty-seven thousand five hundred and seventy-five dollars; for pay of superintendent at said school, one thousand six hundred dollars; for general repairs and improvements, four thousand dollars; for dairy building, one thousand five hundred dollars; in all, forty-four thousand six hundred and seventy-five dollars.

For support and education of one hundred and fifty pupils at the Indian school at Truxton Canyon, Arizona, twenty-five thousand and fifty dollars; pay of superintendent, one thousand five hundred dollars; general repairs and improvements, two thousand dollars; for additional compensation to the superintendent, acting as physician, three hundred dollars; for office for superintendent, two thousand dollars; for hospital, six thousand dollars; for irrigation plant, ten thousand dollars; in all, forty-six thousand eight hundred and fifty dollars.

That the Secretary of the Interior be, and he is hereby, authorized to expend a sum not exceeding thirty thousand dollars, or so much thereof as may be necessary, out of the trust funds now in the United States Treasury to the credit of the Otoe and Missouri Indians, for the purpose of erecting a school plant for the Otoe Indians on their reservation in Oklahoma; that this amount become immediately available.

For collection and transportation of pupils to and from Indian schools, and also for the transportation of Indian pupils from all the Indian schools and placing of them, with the consent of their parents, under the care and control of such suitable white families as may in all respects be qualified to give such pupils moral, industrial, and educational training, under arrangements in which their proper care, support, and education shall be in exchange for their labor, sixty thousand dollars.

That all expenditure of money appropriated for school purposes in this Act shall be at all times under the supervision and direction of the Commissioner of Indian Affairs, and in all respects in conformity with

such conditions, rules, and regulations as to the conduct and methods of instruction and expenditure of money as may be from time to time prescribed by him, subject to the supervision of the Secretary of the Interior: *Provided*, That not more than one hundred and sixty-seven dollars shall be expended for the annual support and education of any one pupil in any school herein specifically provided for, except when, by reason of epidemic, accident, or other sufficient cause the attendance is so reduced that a larger expenditure is absolutely necessary for the efficient operation of the school affected, when the Commissioner of Indian Affairs, with the approval of the Secretary of the Interior, may allow a larger per capita expenditure, such expenditure to continue only so long as the said necessity therefor shall exist: *Provided further*, That the total amount appropriated for the support of such school shall not be exceeded: *Provided further*, That the number of pupils in any school entitled to the per capita allowance hereby provided for shall be determined by taking the average enrollment for the entire fiscal year and not any fractional part thereof: *Provided also*, That in preparing implements and room for laundry work, in all Indian schools, arrangements shall be made for doing by hand such an amount of said work as may be sufficient to teach the female pupils the art of hand laundry work.

SEC. 2. That no purchase of supplies for which appropriations are herein made, exceeding in the aggregate five hundred dollars in value at any one time, shall be made without first giving at least three weeks' public notice by advertisement, except in case of exigency, when, in the discretion of the Secretary of the Interior, who shall make official record of the facts constituting the exigency, and shall report the same to Congress at its next session, he may direct that purchases may be made in open market in amount not exceeding three thousand dollars at any one purchase: *Provided*, That supplies may be purchased, contracts let, and labor employed for the construction of artesian wells, ditches, and other works for irrigation, in the discretion of the Secretary of the Interior, without advertising as hereinbefore provided: *Provided further*, That the Commissioner of Indian Affairs may, in his discretion, pay any field matron, on account of meritorious services, an addition of ten dollars per month to the fifty dollars as provided for in this Act: *And provided further*, That as far as practicable Indian labor shall be employed and purchase in the open market made from Indians, under the direction of the Secretary of the Interior.

SEC. 3. That the Secretary of the Interior, under the direction of the President, may use any surplus that may remain in any of the said appropriations herein made for the purchase of subsistence for the several Indian tribes, to an amount not exceeding twenty-five thousand dollars in the aggregate, to supply any subsistence deficiency that may occur: *Provided*, That any diversions which shall be made under authority of this section shall be reported in detail, and the reason therefor, to Congress, at the session of Congress next succeeding such diversion: *Provided further*, That the Secretary of the Interior, under direction of the President, may use any sums appropriated in this Act for subsistence, and not absolutely necessary for that purpose, for the purchase of stock cattle for the benefit of the tribe for which such appropriation is made, and shall report to Congress, at its next session thereafter, an account of his action under this provision: *Provided further*, That funds appropriated to fulfill treaty obligations shall not be used.

SEC. 4. That when not required for the purpose for which appropriated, the funds herein provided for the pay of specified employees at any agency may be used by the Secretary of the Interior for the pay of other employees at such agency, but no deficiency shall be thereby created; and, when necessary, specified employees may be detailed for other service when not required for the duty for which they were engaged; and that the several appropriations herein or heretofore made for millers, blacksmiths, engineers, carpenters, physicians, and other persons, and for various articles provided for by treaty stipulation for the several Indian tribes, may be diverted to other uses for the benefit of said tribes, respectively, within the discretion of the President, and with the consent of said tribes, expressed in the usual manner; and that he cause report to be made to Congress, at its next session thereafter, of his action under this provision.

SEC. 5. That whenever, after advertising for bids for supplies in accordance with sections three and four of this Act, those received for any article contains conditions detrimental to the interests of the Government, they may be rejected, and the articles specified in such bids purchased in open market, at prices not to exceed those of the lowest bidder, and not to exceed the market price of the same until such time as satisfactory bids can be obtained, for which immediate advertisement shall be made: *Provided*, That so much of the appropriations herein made as may be required to pay for goods and supplies, for expenses incident to their purchase, and for transportation of the same, for the year ending June thirtieth, nineteen hundred and four, shall be immediately available, but no such goods or supplies shall be distributed or delivered to any of said Indians prior to July first, nineteen hundred and three.

SEC. 6. That the Commissioner of Indian Affairs shall report annually to Congress, specifically showing the number of employees at each agency, industrial and boarding school, which are supported in whole or in part out of the appropriations in this Act, giving name, when employed, in what capacity employed, male or female, whether white or Indian, amount of compensation paid, and out of what item or fund of the appropriation paid, and whether, in the opinion of such Commissioner, any of such employees are unnecessary.

SEC. 7. That section five of the Act approved February twenty-eighth, eighteen hundred and ninety-nine, entitled "An Act providing for the sale of the surplus lands on the Pottawatomie and Kickapoo Indian reservations in Kansas, and for other purposes," be, and the same is hereby, amended so as to read as follows:

"SEC. 5. That before any of the surplus lands belonging to either of said tribes of Indians shall be sold under the provisions of this Act there shall be allotted by the Secretary of the Interior eighty acres to each absentee of either of said tribes, and also to each of the children of members of the respective tribes born since the allotments heretofore made were closed and to whom allotments have never been made, but all allotments shall be made and accepted subject to existing leases: *Provided*, That in making these allotments the said Pottawatomie children and absentees shall be restricted to the Pottawatomie lands and the Kickapoo children and absentees to the Kickapoo lands: *Provided further*, That in case there are not sufficient surplus lands belonging to either tribe to allot lands to each child and absentee in quantity as above provided, said surplus lands shall be allotted to each of said

children and absentees pro rata, as near as may be, according to legal subdivisions: *Provided further*, That this paragraph relating to allotments may be adopted or rejected by either tribe separate and apart from and without affecting the other provisions of this Act."

SEC. 8. That the tribal government of the Seminole Nation shall not continue longer than March fourth, nineteen hundred and six: *Provided*, That the Secretary of the Interior shall at the proper time furnish the principal chief with blank deeds necessary for all conveyances mentioned in the agreement with the Seminole Nation contained in the Act of July first, eighteen hundred and ninety-eight (Thirtieth Statutes, page five hundred and sixty-seven), and said principal chief shall execute and deliver said deeds to the Indian allottees as required by said Act, and the deeds for allotment, when duly executed and approved, shall be recorded in the office of the Dawes Commission prior to delivery and without expense to the allottee until further legislation by Congress, and such records shall have like effect as other public records: *Provided further*, That the homestead referred to in said Act shall be inalienable during the lifetime of the allottee, not exceeding twenty-one years from the date of the deed for the allotment. A separate deed shall be issued for said homestead, and during the time the same is held by the allottee it shall not be liable for any debt contracted by the owner thereof.

SEC. 9. That the Secretary of the Interior be, and he is hereby, authorized and directed to issue a fee simple patent to Harriet Aungie, a Yankton Indian, for the lands heretofore allotted to her in South Dakota, to wit: The southeast quarter and the southwest quarter of section thirty, township ninety-five north, range sixty-three west of the fifth principal meridian, and all restrictions as to the sale, incumbrance, or taxation of said lands are hereby removed.

That the Secretary of the Interior be, and he is hereby, authorized and directed to issue a patent in fee to Lawrence Johnson, a citizen Pottawatomie allottee, for the lands heretofore allotted to him in Oklahoma, to wit: The north half of the northeast quarter of section twenty-seven, township ten north, range three east of the Indian meridian, and all restrictions as to the sale, incumbrance, or taxation of said lands are hereby removed.

That Tah ko we ah, Kiowa allottee numbered six hundred and eighteen, and Kome ta me ah, Kiowa allottee numbered six hundred and twenty-one, to whom trust patents have been issued containing restrictions upon alienation, may each sell and convey not exceeding one-half of her allotment, but such conveyance shall be subject to the approval of the Secretary of the Interior, and when so approved shall convey a full title to the purchaser, the same as if a final patent without restriction had been issued to the allottee.

That the Secretary of the Interior be, and he hereby is, authorized and directed to issue patents in fee, severally, to John Nestell, William F. Dietrich, Mabel R. Given, William E. Pedrick, Thomas F. Woodard, George W. Conover, Ben. Roache, Rudolph Fisher (whose Indian name is Asewaynah), Louis Bentz, and Emmet Cox, members of the Kiowa, Comanche, and Apache tribes of Indians, for the lands heretofore allotted to them, respectively, in the Territory of Oklahoma, and all restrictions as to the sale, incumbrance, or taxation of said lands are hereby removed.

That the Secretary of the Interior be, and he is hereby, authorized

and directed to issue patents in fee, severally, to No-wa-hi, Darwin Hayes, Red Plume and Shoe, Cheyenne and Arapahoe Indians, for not to exceed eighty acres of the one hundred and sixty acres of land heretofore allotted to them, respectively, in the Territory of Oklahoma, and all restrictions as to the sale, incumbrance, or taxation of said lands are hereby removed.

That the Secretary of the Interior be, and he is hereby, authorized and directed to issue a fee-simple patent to Samuel Townsend, a Pawnee Indian, for the following portion of the lands heretofore allotted to him in the Territory of Oklahoma, to-wit, the south one-half of the northeast quarter of section two, in township twenty-three north, of range five east of the Indian Meridian, and all restrictions as to the sale, incumbrance, or taxation of said lands are hereby removed.

SEC. 10. That that portion of the Act of Congress approved March third, nineteen hundred and one (Thirty-first Statutes, page one thousand and sixty-five), entitled "An Act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June thirtieth, nineteen hundred and two, and for other purposes," which reads as follows: "That on and after July first, nineteen hundred and one, any person desiring to trade with the Indians on said reservation shall, upon establishing the fact to the satisfaction of the Commissioner of Indian Affairs that he is a proper person to engage in such trade, be permitted to do so under such rules and regulations as the Commissioner of Indian Affairs may prescribe for the protection of said Indians," is hereby amended and extended so as to apply to all Indian reservations.

SEC. 11. "That the Secretary of the Interior is hereby authorized to sell, subject to the homestead laws of the United States, to the highest bidder at public auction, in tracts not to exceed one hundred and sixty acres to each individual, all that part of the Red Lake Indian Reservation in the State of Minnesota lying westerly of the range line between ranges thirty-eight and thirty-nine west of the fifth principal meridian, approximating two hundred and fifty-six thousand acres. And the land shall be sold for not less than four dollars per acre and shall be sold upon the following terms: One-fifth of the price bid therefor to be paid at the time the bid is made, and the balance of the purchase price of said land to be paid in five equal annual installments, payment to be made to the receiver of the United States land office for the district in which said land may be situated. And in case any purchaser fails to make such annual payment when due, or within sixty days thereafter, all rights in and to the land covered by his or her purchase shall at once cease, and any payments made shall thereupon be forfeited, and the Secretary of the Interior shall thereupon declare such forfeiture by reoffering such land for sale. And no title to said land shall inure to the purchaser, nor any patent issued to the purchaser, until the purchaser or his or her heirs shall have resided upon, improved, and cultivated said land for the full term of five years, without any commutation of time, and shall have in all respects complied with the terms and provisions of the homestead laws of the United States: *Provided*, That such purchaser shall make his final proof conformable to the homestead laws within six years from the date of the sale; that aliens who have declared their intention to become citizens of the United States may become purchasers under this Act, but

before making final proof and acquiring title must take out their full naturalization papers: *Provided*, That in consideration of the benefits to be derived by said Indians from the acceptance of this agreement they expressly grant to the State of Minnesota for school purposes sections sixteen and thirty-six of each township.

"All of the Indians residing upon the tract above described shall remove therefrom to the diminished Red Lake Reservation within six months after the ratification of this Act; and there is hereby appropriated from the proceeds of said sale the sum of twenty thousand dollars, or so much thereof as may be necessary, to be paid to those thus removing in proportion to their respective improvements, which payment to said Red Lake Indians shall be in full of all improvements which they will abandon, and also for the removal within the diminished reservation of their dead from where they are now buried on the tract above described. The proceeds of said lands, as realized from time to time, shall be paid into the United States Treasury to the credit of the Indians belonging on said Red Lake Reservation.

"Of the amount realized from the sale of said lands the sum of three hundred thousand dollars shall be paid in cash, per capita, share and share alike, to each man, woman, and child belonging on said Red Lake Indian Reservation within ninety days after the sale herein provided for and the receipt by the United States of said sum from said sales, and the remainder of the proceeds of the sale of said lands shall be paid in cash, per capita, in fifteen annual installments, the first installment to be paid in the month of October of the year following that in which the payment of the three hundred thousand dollars is made.

"In consideration of the Indians hereinafter referred to ratifying this Act, the said Indians shall possess their diminished reservation independent of all other bands of Chippewa Indians, and shall be entitled to allotments thereon of one hundred and sixty acres each of either agricultural or pine land, the different classes of land to be appropriated as equitably as possible among the allottees. And nothing in this Act or its acceptance by said Indians shall be construed to deprive the said Indians of any benefits to which they are entitled under existing treaties or agreements not inconsistent with the provisions of this Act.

"The Secretary of the Interior is hereby vested with full power and authority to make such rules and regulations as to the time of notice, manner of sale, and other matters incident to the carrying out of the provisions of this Act as he may deem necessary, and with authority to continue making sales of said land until all of said land shall have been sold. The register and receiver shall receive the usual fees for making final proof under this Act.

*Provided*, That nothing in this section contained shall in any manner bind the United States to purchase any portion of the land herein described, or to dispose of said land except as provided herein; or to guarantee to find purchasers for said lands or any portion thereof, it being the intention of this Act that the United States shall act as trustee for said Indians to dispose of said lands and to expend and pay over the proceeds received from the sale thereof only as received, as herein provided.

"This Act shall take effect and be in force from and after its ratification by the Red Lake and Pembina Bands of Chippewa Indians

belonging on the Red Lake Indian Reservation, in the State of Minnesota, a majority of the male adults of said Indians assenting thereto, and the evidence thereof to be made by the proclamation of the President to the effect that this act has been duly ratified. And the Secretary of the Interior is hereby directed to submit this Act to said Indians for ratification as early as is practicable."

SEC. 13. That any one or more of the registers and receivers of the United States land offices in the State of Kansas upon whom was imposed the responsibility of making sale and disposal of the Osage ceded, Osage trust, and Osage diminished reserve land, in said State, under the treaty of September twenty-ninth, eighteen hundred and sixty-five, between the United States and the Osage Indians, and the Acts of Congress for carrying said treaty into effect, may bring suit in the Court of Claims against the Osage Nation and the United States to determine the claim of the plaintiff or plaintiffs for commissions or compensation for the sale of said lands or any service or duty connected therewith. And the said court shall have jurisdiction to hear and determine said cause and to render judgment thereon on the merits; and the Attorney-General shall appear on behalf of the United States and the Osage Nation, and either party feeling aggrieved at the decision of the Court of Claims may appeal to the Supreme Court of the United States, and the final judgment in such case shall determine the rights of all such registers and receivers similarly situated. Said Osage Nation may also appear in said suit by an attorney employed with the authority of said nation. The Court of Claims shall have full authority, by proper orders and process, to make parties to any such suit all persons whose presence in the litigation it may deem necessary or proper to the final determination of the matter in controversy.

Approved, March 3, 1903.

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