76TH CONGRESS
3d Session

SENATE

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No. 194

INDIAN AFFAIRS

LAWS AND TREATIES

VOL. V

(LAWS)

COMPILED FROM DECEMBER 22, 1927, TO JUNE 29, 1938

COMPILED, ANNOTATED, AND EDITED

BY

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232219

UNITED STATES
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SENATE RESOLUTION NO. 60, SEVENTY-FIFTH CONGRESS

Resolved, That the Committee on Indian Affairs is hereby authorized to have prepared for the use of the Senate a compilation of the laws, agreements, Executive orders, proclamations, and so forth relating to Indian Affairs passed and proclaimed since March 4, 1927, including the Seventy-fifth Congress, to be known as Laws and Treaties Relating to Indian Affairs, Volume 5.

Passed the Senate February 11, 1937.

SENATE RESOLUTION NO. 141, SEVENTY-SIXTH CONGRESS

IN THE SENATE OF THE UNITED STATES,
May 6 (legislative day, April 24), 1940.

Resolved, That the manuscript of the laws, agreements, Executive orders, proclamations, and so forth, relating to Indian Affairs, prepared under S. Res. 69, Seventy-fifth Congress, first session, to be known as Laws and Treaties relating to Indian Affairs, volume 5, be printed as a Senate document.

Attest:

EDWIN A. HALSEY,
Secretary.

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PREFACE

Pursuant to Senate Resolution No. 60, Seventy-fifth Congress, first session, passed February 11, 1937, there is herewith submitted volume V of the Compilation of Indian Laws and Treaties.

Volumes I and II of the Compilation brought the Indian laws and treaties down to June 19, 1902, and were published in 1904; subsequently a revised second edition was issued. Volume III embraces all Indian laws passed to October 24, 1913. Volume IV embraces all Indian laws passed to March 4, 1927. Volume V contains all Indian laws passed from March 4, 1927, to the end of the Seventy-fifth Congress on June 29, 1938. During this period a large quantity of important Indian legislation was enacted by Congress, including the so-called Wheeler-Howard Act; and many Executive orders and proclamations were issued by the President pertaining to Indian tribes and reservations. Several relevant unratified treaties and agreements with Indian tribes, in whose behalf legislation was enacted or is pending in Congress or whose cases are pending in the Court of Claims, have been included in this volume. Also included are a number of recent leading decisions of the Supreme Court of the United States, the Federal and State courts, the Court of Claims, and the Solicitor of the Interior Department, all of which vitally affect the interests of the Indians, their tribes, and their reservation lands. These decisions cover just compensation for lands taken, which includes interest; the determination of value of lands taken; the ownership of the natural resources located on treaty reservations; jurisdiction over the New York Indian tribes; powers of Indian tribes under the Wheeler-Howard Act; application to Indians of tariff and customs laws under treaties, and the nature of counterclaims, set-offs, and gratuities allowed by the court to the Government against the Indian tribes. Also embraced in this volume is the docket of the Court of Claims of December 1938 listing all Indian claims pending before the court. Also included is a list of all decisions rendered by the Court of Claims in Indian cases contained in Court of Claims Reports from volume 1 to volume 90, both inclusive. The latest statement of trust funds standing to the credit of the several Indian tribes in the Treasury of the United States is made part of this volume.

To all laws appearing in volume V which have been before the Supreme Court, the Federal and State courts, the Court of Claims, the Departments of Justice and the Interior, and the Comptroller General for construction or adjudication are appended citations to the decisions thereon.

An extensive and methodical index and marginal references to Indian laws and treaties, citing where those may be found in the Compilation, have been provided, in volume V, so that an examination of any question concerning legislation for the Indians can conveniently and expeditiously be made within the confines of the five volumes of the Compilation. In the index, under the headings of "Court of Claims" and "Jurisdictional Acts," will be found a list of all former and recent acts of Congress granting Indian tribes the right to present their claims to the Court of Claims for adjudication and settlement. Several Indian acts of Congress are generally referred to by the names of their authors; therefore the index under appropriate titles refers to such acts under the name of the author.

It may at this point be called to the attention of persons not possessing the earlier volumes of the Compilation that volume IV contains the complete indexes of volumes I, II, III, and IV.

An examination of volume V will demonstrate, it is believed, that time and labor were unsparingly employed to prepare a volume to match in service and merit the companion volumes, I to IV.

It is gratifying to the compiler that the Compilation of Indian Laws and Treaties has become authoritative, being used, cited, and consulted by the highest courts of the United States, both Federal and State, the committees of Congress, the several departments of the Government, the Attorney General, the Comptroller General, superintendents of Indian agencies, Indian Tribal Councils, and those interested in Indian affairs.

Due acknowledgement for valuable suggestions and assistance in compiling, annotating, and indexing volume V is made to the Chairman of the Senate Committee on Indian Affairs, Hon. Elmer Thomas, of Oklahoma, A. A. Grorud, Esq., Special Assistant to the Senate Committee on Indian Affairs, Mr. H. G. Bender of the House Committee on Indian Affairs, Mr. Eldred D. Kuppinger, of the State Department, Mr. Ansel Wold, clerk to the Joint Congressional Committee on Printing, Mr. Guy E. Ives, Printing Clerk of the Senate, Mr. W. Grant Lieuallen, of the Senate Library; also to the officials of the Departments of Justice and the Interior, the Bureau of Indian Affairs, the General Accounting Office, and the National Archives.

CHARLES J. KAPPLER,
Compiler.

WASHINGTON, D. C., *February 15, 1941.*

PART I
LAWS RELATING TO INDIAN AFFAIRS

PUBLIC ACTS OF THE SEVENTIETH CONGRESS, FIRST SESSION, 1927–1928

December 22, 1927.
[H. R. 5800.]
45 Stat., 2.

CHAP. 5.—An Act Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1928, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1928, and for other purposes.

First Deficiency Act, 1928.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1928, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1928, and for other purposes, namely:

* * * * * * *

DEPARTMENT OF THE INTERIOR

Interior Department.

* * * * * * *

BUREAU OF INDIAN AFFAIRS

Indian Affairs Bureau.

Supplies, purchase, transportation, etc.

Purchase and transportation of Indian supplies: For expenses necessary to the purchase of goods and supplies for the Indian Service, including inspection, pay of necessary employees, and all other expenses connected therewith, including advertising, storage, and transportation of Indian goods and supplies for the fiscal years that follow: For 1923, $110.06; 1924, $12,193.05; 1926, $91,910.27; 1927, $80,286; in all, $184,499.38.

Cherokees, Okla.
Payment of judgment against, from tribal funds.

Payment of judgment against Cherokee Indians, Oklahoma (tribal funds): For payment of the judgment rendered June 23, 1924, by the United States Court of Claims against the Cherokee Nation, Oklahoma, and in favor of the United States, in the case of the Cherokee Nation against the United States, Numbered 34449, in the Court of Claims, which judgment was for the cost of printing the record in the case and was affirmed on April 12, 1926, by the Supreme Court of the United States, $31.70, payable from funds to the credit of the Cherokee Nation, Oklahoma.

Diseased livestock.
Reimbursing Indians for animals destroyed.

Suppressing contagious diseases among livestock of Indians: For reimbursing Indians for livestock which may be hereafter destroyed on account of being infected with dourine or other contagious diseases, and for expenses in connection with the work of eradicating and preventing such diseases, to be expended under such rules and regulations as the Secretary of the Interior may prescribe, fiscal years 1928 and 1929, $20,000.

Paiute Indian Reservation, Nev.
Payment to Truckee-Carson irrigation district for irrigation charges, etc., on lands of.
44 Stat., 771; vol. 4, 561.

Paiute allotted lands, Truckee-Carson project, Nevada (reimbursable): To carry out the provisions of the Act entitled "An Act to authorize the cancellation and remittance of construction assessments against allotted Paiute Indian lands irrigated under the Newlands reclamation project in the State of Nevada and to reimburse the Truckee-Carson irrigation district for certain expenditures for the operation and maintenance of drains for said lands," approved June 26, 1926, fiscal years 1924 and 1925, $611.55.

Indian pueblos, N. Mex.
Survey, etc., as to irrigability of lands of.
44 Stat., 1098.
Post, 632.

Indian pueblos, New Mexico: For carrying out the provisions of the Act entitled "An Act to authorize an appropriation for reconnaissance work in conjunction with the Middle Rio Grande Conservancy District to determine whether certain lands of the Cochiti, Santo Domingo, San Felipe, Santa Ana, Sandia, and Isleta Indians are susceptible of reclamation, drainage, and irrigation," approved February 14, 1927, fiscal year 1928, $50,000.

Sante Fe School, N. Mex.
Boys' dormitory.
Sequoyah Orphan Training School, Okla.
Water supply.

Indian school, Santa Fe, New Mexico: For construction and equipment of new boys' dormitory, fiscal years 1928 and 1929, $80,000.

Sequoyah Orphan Training School, Oklahoma: To provide an adequate water supply, fiscal years 1928 and 1929, $12,000.

Pueblos in New Mexico.
Payment for loss of lands, by Pueblo Lands Board findings.
43 Stat., 636; vol. 4, 454.
Distribution.

Compensation to certain pueblos in New Mexico for losses: To compensate the Indians of Jemez and Tesuque pueblos, in the State of New Mexico, for loss of lands and water rights, in accordance with the findings of the Pueblo Lands Board created by section 2 of the Act approved June 7, 1924 (Forty-third Statutes at Large, page 636), $29,801.20, of which sum $500 shall be credited on the books of the Treasury Department to the Indians of Jemez pueblo and $29,301.20 to the Indians of Tesuque pueblo, such sums to draw interest at the rate of 4 per centum per annum: *Provided*, That the $500 credited to the Indians of Jemez pueblo is hereby made available until June 30, 1929, for the purchase of land and water rights for such Indians, and $14,150 of the sum credited to the Indians of Tesuque pueblo is hereby authorized to be expended during the fiscal years 1928 and 1929 in providing an additional water supply for such pueblo: *Provided further*, That the remainder of such funds, and the interest thereon, shall be subject to future appropriation by Congress.

Provisos.
Purchase of land and water rights.
Distribution of remainder.

Kiowas, etc., Okla.
Payment of attorneys from oil royalties trust fund of.
44 Stat., 740; vol. 4, 558.

Kiowa, Comanche, and Apache Indians (tribal funds): To enable the Secretary of the Interior to make payment of fees to the attorneys (their heirs or their assignees now of record, as their interest may appear) of the Kiowa, Comanche, and Apache Tribes of Indians in Oklahoma, under a tribal contract approved October 12, 1923, fiscal year 1928, $85,000, payable out of the fund held in trust for said tribes under the provisions of Public Resolution Numbered 36, approved June 12, 1926.

Shawnees, etc., Okla.
Payment to, under treaty provisions.
15 Stat. 513; vol. 2, 960.
Provisos.
Amount for attorneys.
Relinquishment required of all claims.

To pay to the Indians of the Shawnee Tribe, and thirteen Delaware Indians affiliated with the same tribe, their heirs or legal representatives, in accordance with the official findings, arbitration award, and report of the Secretary of the Interior to Congress made in pursuance of the twelfth article of the treaty between the United States and the Shawnee Indians proclaimed October 14, 1868 (Fifteenth Statutes at Large, page 513), the sum of $463,732.49: *Provided*, That out of said sum there shall be paid to the attorneys for said Indians 10 per centum of the above amount in full satisfaction and in lieu of the contract dated May 26, 1909, and extensions thereof dated April 21, 1919, and January 31, 1924, calling for 20 per centum: *And provided further*, That before payment of the amount hereby appropriated the Indian beneficiaries or their legal

representatives entitled to said awards shall execute in writing a receipt, release, and relinquishment of any and all claims arising under the twelfth article of said treaty which they may have against the United States, and which receipt, release, and relinquishment shall be approved by the Commissioner of Indian Affairs and the Secretary of the Interior and which shall be binding, when executed and approved, on all parties thereto. The Shawnee Indian superintendent and the council of the tribe at Shawnee, Oklahoma, are authorized to execute and shall execute a release binding on all beneficiaries having no legal representatives.[1]

Papago Reservation, Ariz.
Improvement of road within, from Tucson to Ajo.
44 Stat., 762; vol. 4, 560.

Road, Papago Indian Reservation, Arizona: For the improvement and construction of the uncompleted part of the road from Tucson to Ajo, by way of Indian Oasis, within the Papago Indian Reservation, Arizona, as authorized by the Act approved June 23, 1926, fiscal years 1928 and 1929, $125,000.

Coolidge Dam Gila River, Ariz.
Construction of, under San Carlos project.
43 Stat., 475; vol. 4, 447.

Coolidge Dam across canyon of Gila River near San Carlos, Arizona (reimbursable): For construction of the Coolidge Dam across the canyon of the Gila River near San Carlos, Arizona, as authorized by the Act of June 7, 1924 (Forty-third Statutes, pages 475, 476), and under the terms and conditions of, and reimbursable as provided in said Act, $3,450,000, to continue available until June 30, 1929: *Provided*, That not to exceed $1,000,000 shall be available for payment to the Southern Pacific Railway Company for relocating its railroad pursuant to its existing contract with the Secretary of the Interior: *Provided further*, That not to exceed $163,452 shall be available for payment of property and other damages: *Provided further*, That not to exceed $72,324 shall be available for the replacement at Rice Station, Arizona, of agency buildings to be abandoned at San Carlos, Arizona: *And provided further*, That not to exceed $17,718 shall be available for enlargement of the Rice Station boarding school to accommodate pupils from the day school to be abandoned at San Carlos.

Provisos.
Southern Pacific Railway Company.
Payment to, for relocating railroad.
Property damages.

Replacing agency buildings at Rice Station.

Enlarging boarding school.

* * * * * * *

AUDITED CLAIMS

Audited claims.

SEC. 2. That for the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874, and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1924 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884, as fully set forth in House Document Numbered 720, Sixty-ninth Congress, there is appropriated as follows:

Payment of, certified by General Accounting Office.

18 Stat., 110.

23 Stat. 254.

* * * * * * *

DEPARTMENT OF THE INTERIOR

Interior Department.

* * * * * * *

For support of Indians in Arizona, $2,620.25.

For support of Sioux of different tribes: Subsistence and civilization, South Dakota, $6.

For support of Indians at Colville and other agencies and Joseph's Band of Nez Perces, Washington, $1.05.

* * * * * * *

[1] 54 I. D. D., 298.

Audited claims.

AUDITED CLAIMS

Payment of additional.

SEC. 4. That for the payment of the following claims, certified to be due by the General Accounting Office under appropriations for balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874, and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1925 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884, as fully set forth in House Document Numbered 80, Seventieth Congress, there is appropriated as follows:

18 Stat., 110.

23 Stat., 254.

* * * * * * *

Interior Department.

DEPARTMENT OF THE INTERIOR

* * * * * * *

For purchase and transportation of Indian supplies, $983.16.

For inspectors, Indian Service, $19.23.

For pay of judges, Indian courts, $14.

For expenses of Indian commissioners, $27.78.

For industrial work and care of timber, $86.01.

For industry among Indians, $83.50.

For diversion dam, Gila River Reservation, Arizona (reimbursable), $51.20.

For diversion dam, Gila River Reservation, Arizona (reimbursable), $201.

For irrigation project, Gila River Reservation, Arizona (reimbursable), $57.

For Indian schools: Support $122.09.

For Indian school and agency buildings, $1.38.

For Indian boarding schools, $8.51.

For Indian school, Wahpeton, North Dakota, $13.54.

For Indian school, Wahpeton, North Dakota, assembly hall, $52.43.

For Indian school, Wahpeton, North Dakota, dairy herd, $51.07.

For education, Sioux Nation, $19.20.

For relieving distress and prevention, and so forth, of diseases among Indians, $999.60.

For support and civilization of Indians, $136.54.

For support of Indians in Arizona, $90.

For support of Northern Cheyennes and Arapahoes, Montana, $11.45.

For support of Chippewas of Lake Superior, Wisconsin, $27.91.

* * * * * * *

Approved, December 22, 1927.

February 15, 1928.
[H. R. 8269.]
45 Stat., 64.

CHAP. 57.—An Act Making appropriations for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1929, and for other purposes

Appropriations for Department of State, Justice, the Judiciary, and Departments of Commerce and Labor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1929, namely:

* * * * * * *

TITLE II.—DEPARTMENT OF JUSTICE

Department of Justice.

OFFICE OF THE ATTORNEY GENERAL

* * * * * * *

MISCELLANEOUS OBJECTS, DEPARTMENT OF JUSTICE

Miscellaneous.

* * * * * * *

Defending suits in claims.

Defending suits in claims against the United States: For necessary expenses incurred in the examination of witnesses, procuring evidence, employment of experts at such rates of compensation as may be authorized or approved by the Attorney General, and such other expenses as may be necessary in defending suits in the Court of Claims, including Indian depredation claims, to be expended under the direction of the Attorney General, $85,000.

Indian depredation claims.

* * * * * * *

PUEBLO LANDS BOARD

Pueblo Lands Board. Expenses of. 43 Stat. 636; vol. 4, 454.

Pueblo Lands Board: For expenses of the Pueblo Lands Board, including compensation for member appointed by the President of the United States, and for clerical assistants, interpreters, surveyors, translators, and stenographers, rental of quarters, travel expenses, fees of witnesses, telephone and telegraph service, including the maintenance and operation of a passenger-carrying motor vehicle, $33,000.

* * * * * * *

Approved, February 15, 1928.

CHAP. 116.—An Act To authorize appropriation of treaty funds due the Wisconsin Pottawatomie Indians

February 29, 1928. [S. 1759.]

45 Stat., 159.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $6,839, being the unappropriated balance of the total amount of $447,339 due the Wisconsin Pottawatomie Indians, of Wisconsin and Michigan, under the treaty of September 27, 1833 (Seventh Statutes at Large, page 442), and the Act of June 25, 1864 (Thirteenth Statutes at Large, page 172), as set out in House Document Numbered 830, Sixtieth Congress, first session: *Provided*, That the unexpended balances of $37,044.55 in the appropriations made for said Indians by the Acts of May 18, 1916 (Thirty-ninth Statutes at Large, page 156), May 25, 1918 (Fortieth Statutes at Large, page 589), and June 30, 1919 (Forty-first Statutes at Large, page 29), and which have reverted to the Treasury, are hereby authorized to be reappropriated; and that said sums, together with the unexpended balance of $4,347.73 in the appropriation for the purchase of land for said Indians made by the Act of June 30, 1913 (Thirty-eighth Statutes at Large, page 102), shall be subject to expenditure for their benefit or payment to them, in the discretion of the Secretary of the Interior.

Wisconsin Pottawatomie Indians. Sums authorized for, out of unappropriated balances.

7 Stat., 442; 13 Stat., 172. Vol. 2, 412; vol. 1, 127.

Provisos. Other unexpended balances, reappropriated. 39 Stat., 156; vol. 4, 87; 40 Stat., 589; vol. 4, 174; 41 Stat., 29; vol. 4, 220.

All to be expended for said Indians.

38 Stat., 102; Vol. 3, 586.

Approved, February 29, 1928.

March 3, 1928.
[H. R. 8281.]
45 Stat., 160.

CHAP. 120.—An Act To provide for the withdrawal of certain described lands in the State of Nevada for the use and benefit of the Indians of the Walker River Reservation

Public lands.
Lands set aside for Walker River Reservation Indians in Nevada.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described lands situate in the State of Nevada be, and they hereby are, withdrawn from entry, sale, or other disposition and set aside for the use and benefit of the Indians of the Walker River Reservation: *Provided*, That this withdrawal shall not affect any existing legal right of any person to any of the withdrawn lands: All of township 14 north, range 30 east; west half of township 14 north, range 31 east; west half of township 13 north, range 31 east; west half of township 12 north, range 31 east; and east half of township 12 north, range 30 east, of Mount Diablo meridian.

Proviso.
Subject to prior rights.
Description.

Approved, March 3, 1928.

March 3, 1928.
[H. R. 8282.]
45 Stat., 160.

CHAP. 121.—An Act To provide for the permanent withdrawal of certain lands bordering on and adjacent to Summit Lake, Nevada, for the Paiute, Shoshone, and other Indians

Paiute, Shoshone, etc., Indians.
Lands on Summit Lake, Nev., set aside for.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following described lands in Nevada be, and they are hereby, withdrawn from entry, sale, or other disposition, and set aside for the Paiute and Shoshone Indians, and such other Indians as the Secretary of the Interior may see fit to settle thereon: *Provided*, That the withdrawal hereby authorized shall be subject to any prior valid rights of any persons to the lands described: Fractional sections 13, 24, and 25, township 42 north, range 25 east; section 1, township 41 north, range 25 east, and fractional sections 5 and 6, township 41 north, range 26 east of the Mount Diablo meridian in Nevada.

Proviso.
Subject to prior rights.
Description.

Approved, March 3, 1928.

March 3, 1928.
[H. R. 8291.]
45 Stat., 161.

CHAP. 122.—An Act To amend section 1 of the Act of June 25, 1910 (Thirty-sixth Statutes at Large, page 855), "An Act to provide for determining the heirs of deceased Indians, for the disposition and sale of allotments of deceased Indians, for the leasing of allotments, and for other purposes"

Indian trust allotments.
36 Stat., 855, amended; vol. 3, 476.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of June 25, 1910 (Thirty-sixth Statutes at Large, page 855), "An Act to provide for determining the heirs of deceased Indians, for the disposition and sale of allotments of deceased Indians, for the leasing of allotments, and for other purposes," be and the same is amended so as to read as follows:

Disposal of, to heirs of intestate Indians.

"That when any Indian to whom an allotment of land has been made, or may hereafter be made, dies before the expiration of the trust period and before the issuance of a fee-simple patent, without having made a will disposing of said allotment as hereinafter provided, the Secretary of the Interior, upon notice and hearing, under such rules as he may prescribe, shall ascertain the legal heirs of such decedent, and his decision thereon shall be final and conclusive. If the Secretary of the Interior decides the heir or heirs of such decedent competent to manage their own affairs, he shall issue to such heir or heirs a patent in fee for the allotment of such decedent;

Discretion of Secretary of the Interior.

if he shall decide one or more of the heirs to be incompetent, he may, in his discretion, cause such lands to be sold: *Provided*, That if the Secretary of the Interior shall find that the lands of the decedent are capable of partition to the advantage of the heirs, he may cause the shares of such as are competent, upon their petition, to be set aside and patents in fee to be issued to them therefor. All sales of lands allotted to Indians authorized by this or any other Act shall be made under such rules and regulations and upon such terms as the Secretary of the Interior may prescribe, and he shall require a deposit of 10 per centum of the purchase price at the time of the sale. Should the purchaser fail to comply with the terms of sale prescribed by the Secretary of the Interior, the amount so paid shall be forfeited; in case the balance of the purchase price is to be paid on such deferred payments, a further amount, not exceeding 15 per centum of the purchase price together with all interest paid on such deferred installments may be so forfeited for failure to comply with the terms of the sale. All forfeitures shall inure to the benefit of the heirs. Upon payment of the purchase price in full, the Secretary of the Interior shall cause to be issued to the purchaser patent in fee for such land: *Provided*, That the proceeds of the sale of inherited lands shall be paid to such heir or heirs as may be competent and held in trust subject to use and expenditure during the trust period for such heir or heirs as may be incompetent as their respective interests shall appear: *Provided further*, That the Secretary of the Interior is hereby authorized, in his discretion, to issue a certificate of competency, upon application therefor, to any Indian, or in case of his death to his heirs, to whom a patent in fee containing restrictions on alienation has been or may hereafter be issued, and such certificate shall have the effect of removing the restrictions on alienation contained in such patent: *Provided further*, That hereafter any United States Indian agent, superintendent, or other disbursing agent of the Indian Service may deposit Indian moneys, individual or tribal, coming into his hands as custodian, in such bank or banks as he may select: *Provided*, That the bank or banks so selected by him shall first execute to the said disbursing agent a bond, with approved surety, in such amount as will properly safeguard the funds to be deposited. Such bonds shall be subject to the approval of the Secretary of the Interior."

Provisos.
Partition.

Rules for sales, etc.

Patents in fee to purchasers.

Distribution of proceeds.

Competency certificates.

Deposit of Indian funds in banks.

Indemity bond from bank.

Approved, March 3, 1928.

CHAP. 123.—An Act To reserve one hundred and twenty acres on the public domain for the use and benefit of the Koosharem Band of Indians residing in the vicinity of Koosharem, Utah.

March 3, 1928.
[H. R. 8292.]
45 Stat., 162.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That one hundred and twenty acres of land described as the west half southwest quarter and southwest quarter northeast quarter section 9, township 27 south, range 1 west, Salt Lake meridian, Utah, be, and the same is, hereby reserved for the sole use and occupancy of the Koosharem Band of Indians in Utah, provided that the rights and claims of any bona fide settler initiated under the public land laws prior to November 5, 1927, the date of withdrawal of the lands, from all form of entry, shall not be affected by this Act.

Public lands.

Designated lands in Utah reserved for Koosharem Indians.

Approved, March 3, 1928.

March 3, 1928.
[H. R. 9037.]
45 Stat., 162.

CHAP. 124.—An Act To provide for the permanent withdrawal of certain lands in Inyo County, California, for Indian use

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described lands in California be, and they are thereby, withdrawn from entry, sale, or other disposition and set aside for the Indians of Indian Ranch, Inyo County, California: *Provided*, That the withdrawal hereby authorized shall be subject to any prior valid right of any persons to the lands described: Township 21 south, range 44 east, northwest quarter section 3 (surveyed), northwest quarter northeast quarter section 3 (unsurveyed); township 20 south, range 44 east, southeast quarter section 33 (unsurveyed); northwest quarter and northwest quarter southwest quarter section 34 (unsurveyed); of the Mount Diablo meridian in California, containing five hundred and sixty acres, more or less.

Public lands.
Designated lands set aside for Indians of Indian Ranch, Inyo County, Calif.
Proviso.
Subject to prior rights.
Description.

Approved, March 3, 1928.

March 7, 1928.
[H. R. 9136.]
45 Stat., 200.

CHAP. 137.—An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1929, 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 are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1929, namely:

Interior Department appropriations, fiscal year, 1929.

* * * * * * *

CONTINGENT EXPENSES, DEPARTMENT OF THE INTERIOR

Department contingent expenses.

For contingent expenses of the office of the Secretary and the bureaus and offices of the department; furniture, carpets, ice, lumber, hardware, dry goods, advertising, telegraphing, telephone service, including personal services of temporary or emergency telephone operators, street-car fares for use of messengers not exceeding $150, expressage, diagrams, awnings, filing devices, typewriters, adding, addressing, and check-signing machines, and other labor-saving devices, including the repair, exchange, and maintenance thereof; constructing model and other cases and furniture; postage stamps to prepay postage on foreign mail and for special-delivery and air-mail stamps for use in the United States; traveling expenses, including necessary expenses of inspectors; fuel and light; examination of estimates for appropriations in the field for any bureau, office, or service of the department; not exceeding $500 shall be available for the payment of damages caused to private property by department motor vehicles; purchase and exchange of motor trucks, motor cycles, and bicycles, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles and motor trucks, motor cycles, and bicycles, to be used only for official purposes; rent of department garage; expense of taking testimony and preparing the same, in connection with disbarment proceedings instituted against persons charged with improper practices before the department, its bureaus and offices; expense of translations; not exceeding $500 for newspapers, for which payment may be made in advance; stationery, including tags, labels, index cards, cloth-lined wrappers, and specimen bags, printed in the course of manufacture, and such printed envelopes as are not supplied under contracts made by the Postmaster General, for the department and its several bureaus and offices, and other absolutely necessary expenses not hereinbefore

Traveling expenses.
Property damages.
Disbarment expenses.
Stationery, etc.

provided for, $118,000; and, in addition thereto, sums amounting to $76,000 for stationery supplies shall be deducted from other appropriations made for the fiscal year 1929, as follows: Surveying public lands, $2,500; protecting public lands and timber, $1,500; contingent expenses, local land offices, $2,500; Geological Survey, $4,500; Indian Service, $42,000; Freedmen's Hospital, $1,000; Saint Elizabeths Hospital, $3,000; National Park Service, $4,000; Bureau of Reclamation, $15,000, any unexpended portion of which shall revert and be credited to the reclamation fund; and said sums so deducted shall be credited to and constitute, together with the first-named sum of $118,000, the total appropriation for contingent expenses for the department and its several bureaus and offices for the fiscal year 1929.

Additional from specified appropriations.

For the purchase or exchange of professional and scientific books, law and medical books, and books to complete broken sets, periodicals, directories, and other books of reference relating to the business of the department by the several offices and bureaus of the Interior Department herein named, there is hereby made available from any appropriations made for such bureau or office not to exceed the following respective sums: Office of the Secretary, $900; Indian Service, $200; Bureau of Education, $1,400; Bureau of Reclamation, $1,500; Geological Survey, $2,000; National Park Service, $500; General Land Office, $500.

Books, periodicals, etc.

Office allotments.

* * * * * * *

GENERAL LAND OFFICE

* * * * * * *

Opening Indian reservations (reimbursable): For expenses pertaining to the opening to entry and settlement of such Indian reservation lands as may be opened during the fiscal year 1929, the unexpended balance of the appropriation for this purpose for the fiscal year 1928 shall be available for the fiscal year 1929: *Provided*, That the expenses pertaining to the opening of each of said reservations and paid for out of this appropriation shall be reimbursed to the United States from the money received from the sale of the lands embraced in said reservations, respectively.

Indian reservations.

Opening to entry.
Balance available.
44 Stat., 938; vol. 4, 915.
Proviso.
Reimbursement.

BUREAU OF INDIAN AFFAIRS

Indian Affairs Bureau.

SALARIES

For the Commissioner of Indian Affairs and other personal services in the District of Columbia in accordance with "The Classification Act of 1923," $356,000.

Commissioner, and office personnel.

GENERAL EXPENSES

General expenses.

For transportation and incidental expenses of officers and clerks of the Office of Indian Affairs when traveling on official duty; for telegraph and telephone toll messages on business pertaining to the Indian Service sent and received by the Bureau of Indian Affairs at Washington, and for other necessary expenses of the Indian Service for which no other appropriation is available, $13,500: *Provided*, That not to exceed $5,000 of this appropriation may be used for continuing the work of the competency commission to the Five Civilized Tribes of Oklahoma: *Provided further*, That not to exceed $1,000 of the amount herein appropriated may be expended out of applicable funds in the work of determining the competency of Indians on Indian reservations outside of the Five Civilized Tribes in Oklahoma.

Transportation, telegraphing, etc.

Provisos.

Competency commission, Five Civilized Tribes.
Other Indians.

Supplies.
Purchase, transporting, etc.

For expenses necessary to the purchase of goods and supplies for the Indian Service, including inspection, pay of necessary employees, and all other expenses connected therewith, including advertising, storage, and transportation of Indian goods and supplies, $550,000: *Provided*, That no part of the sum hereby appropriated shall be used for the maintenance of to exceed three warehouses in the Indian Service: *Provided further*, That no part of this appropriation shall be used in payment for any services except bill therefor is rendered within one year from the time the service is performed.

Provisos.
Warehouses limited.

Limitation on payments.

Inspectors.

For pay of special Indian Service inspector and two Indian Service inspectors, and traveling and incidental expenses, $15,500.

Judges.

For pay of judges of Indian courts where tribal relations now exist, at rates to be fixed by the Commissioner of Indian Affairs, $15,000.

Police.

For pay of Indian police, including chiefs of police at not to exceed $60 per month each and privates at not to exceed $40 per month each, to be employed in maintaining order, for purchase of equipments and supplies, and for rations for policemen at nonration agencies, $155,000.

Suppressing liquor traffic, etc.

For the suppression of the traffic in intoxicating liquors and deleterious drugs, including peyote, among Indians, $22,000.

Agency buildings.
Construction, purchase, repairs, etc.

For construction, lease, purchase, repair, and improvement of agency buildings, exclusive of hospital buildings, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $200,000, including not to exceed $25,000 for improvement of the water supply for the school, agency, hospital, and Indians on the Papago Reservation, Arizona: *Provided*, That this appropriation shall be available for the payment of salaries and expenses of persons employed in the supervision of construction or repair work of roads and bridges on Indian reservations and other lands devoted to the Indian Service: *Provided further*, That not more than $7,500 out of this appropriation shall be expended for new construction at any one agency unless herein expressly authorized.

Papago Reservation, Ariz.

Provisos.
Supervising work.

New construction limited.

Vehicles.
Allowance for maintenance, repairs, etc.

That not to exceed $150,000 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for the use of superintendents, farmers, physicians, field matrons, allotting, irrigation, and other employees in the Indian field service: *Provided*, That not to exceed $3,000 may be used in the purchase of horse-drawn passenger-carrying vehicles, and not to exceed $40,000 for the purchase of motor-propelled passenger-carrying vehicles, and that such vehicles shall be used only for official service.

Proviso.
Purchases limited.

Emergency allowance by diversions from specified appropriations.

That to meet possible emergencies, not exceeding $100,000 of the appropriations made by this Act for support of reservation and nonreservation schools, for school and agency buildings, and for preservation of health among Indians, shall be available, upon approval of the Secretary of the Interior, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Indian Service above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: *Provided*, That the limit of $7,500 for new construction contained in the appropriations for Indian school, agency, and hospital buildings shall not apply to such emergency expenditures: *And provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Provisos.
Buildings construction.

Report to Congress.

EXPENSES IN PROBATE MATTERS

Probate matters.

For the purpose of determining the heirs of deceased Indian allottees having right, title, or interest in any trust or restricted property, under regulations prescribed by the Secretary of the Interior, $59,000, reimbursable as provided by existing law, of which $14,000 shall be available for personal services in the District of Columbia: *Provided*, That the provisions of this paragraph shall not apply to the Osage Indians nor to the Five Civilized Tribes of Oklahoma.

Determining heirs of deceased allottees.

Services in the District.

Proviso.
Tribes excepted.

For salaries and expenses of such attorneys and other employees as the Secretary of the Interior may, in his discretion, deem necessary in probate matters affecting restricted allottees or their heirs in the Five Civilized Tribes and in the several tribes of the Quapaw Agency, and for the costs and other necessary expenses incident to suits instituted or conducted by such attorneys, $34,000: *Provided*, That no part of this appropriation shall be available for the payment of attorneys or other employees unless appointed after a competitive examination by the Civil Service Commission and from an eligible list furnished by such commission.

Five Civilized Tribes and Quapaws.
Attorneys, etc., for.

Proviso.
Restricted to Civil Service eligibles.

EXPENSES OF INDIAN COMMISSIONERS

For expenses of the Board of Indian Commissioners, $11,000, of which amount not to exceed $7,800 may be expended for personal services in the District of Columbia.

Citizen commission.

INDIAN LANDS

Indian lands.

For the survey, resurvey, classification, and allotment of lands in severalty under the provisions of the Act of February 8, 1887 (Twenty-fourth Statutes at Large, page 388), entitled "An Act to provide for the allotment of lands in severalty to Indians," and under any other Act or Acts providing for the survey or allotment of Indian lands, $35,000: *Provided*, That no part of said sum shall be used for the survey, resurvey, classification, or allotment of any land in severalty on the public domain to any Indian, whether of the Navajo or other tribes, within the State of New Mexico and the State of Arizona, who was not residing upon the public domain prior to June 30, 1914: *Provided further*, That any and all provisions contained in any Act heretofore passed for the survey, resurvey, classification, and allotment of lands in severalty under the provisions of the Act of February 8, 1887 (Twenty-fourth Statutes, page 388), which provide for the repayment of funds appropriated proportionately out of any Indian moneys held in trust or otherwise by the United States and available by law for such reimbursable purposes, are hereby repealed: *Provided further*, That the repeal hereby authorized shall not affect any funds authorized to be reimbursed by any special Act of Congress wherein a particular or special fund is mentioned from which reimbursement shall be made.

Surveying, allotting in severalty, etc.
24 Stat., 388; vol. 1, 33.

Provisos.
Use in New Mexico and Arizona, limited.

Repeal of provisions for repayments from Indian trust funds, etc.

24 Stat., 388; vol. 1, 33.

Not applicable to provisions in special Acts.

For expenses of compiling lists of lands, surveys and classifications, and all other expenses connected with the allotments authorized by the Act of June 3, 1926, entitled "An Act to provide for allotting in severalty lands within the Northern Cheyenne Indian Reservation, Montana, and for other purposes," $52,000, to be immediately available.

Northern Cheyenne Reservation, Mont.
Expenses allotting lands on.
44 Stat., 690; vol. 4, 556.

For the payment of newspaper advertisements of sales of Indian lands, $500, reimbursable from payments by purchasers of costs of

Advertising land sales.

sale, under such rules and regulations as the Secretary of the Interior may prescribe.

Pueblo Indians, New Mexico.
Attorney for.

For the pay of one special attorney for the Pueblo Indians of New Mexico, to be designated by the Secretary of the Interior, and for necessary traveling expenses of said attorney, $3,500, or so much thereof as the Secretary of the Interior may deem necessary.

Five Civilized Tribes.
Expenses, sales of property, from proceeds.

For payment of salaries of employees and other expenses of advertising and sale in connection with the further sales of unallotted lands and other tribal property belonging to any of the Five Civilized Tribes, including the advertising and sale of the land within the segregated coal and asphalt area of the Choctaw and Chickasaw Nations, or of the surface thereof, as provided for in the Act approved February 22, 1921, entitled "An Act authorizing the Secretary of the Interior to offer for sale remainder of the coal and asphalt deposits in segregated mineral land in the Choctaw and Chickasaw Nations, State of Oklahoma" (Forty-first Statutes at Large, page 1107), and of the improvements thereon, which is hereby expressly authorized, and for other work necessary to a final settlement of the affairs of the Five Civilized Tribes, $6,000, to be paid from the proceeds of sales of such tribal lands and property.

Choctaw and Chickasaw coal and asphalt lands.
41 Stat., 1107; vol. 4, 287.

Final settlement of tribal affairs.

Homeless Indians in California.
Purchase of lands for.

For the purchase of lands for the homeless Indians in California, including improvements thereon, for the use and occupancy of said Indians, $4,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1927, said funds to be expended under such regulations and conditions as the Secretary of the Interior may prescribe.

Full blood Choctaws in Mississippi.
Purchase of lands for, etc.

For the purchase of lands, including improvements thereon, not exceeding eighty acres for any one family, for the use and occupancy of the full-blood Choctaw Indians of Mississippi, to be expended under conditions to be prescribed by the Secretary of the Interior for its repayment to the United States under such rules and regulations as he may direct, $6,500.

Archie Eggleston.
Purchase of land for.
44 Stat., 1747.
Post, 633.

For the purchase of not to exceed forty acres of land for the use of Archie Eggleston, of Isabella County, Michigan, as authorized by the Act of July 3, 1926, $2,000.

Papago Reservation, Ariz.
Agency addition.
44 Stat., 775; vol. 4, 562.

For the purchase of land as an addition to the agency reserve of the Papago Indian Reservation, Arizona, as provided by the Act of June 28, 1926, $9,500.

Temoak Indians.
Lands for homeless, in Nevada.
Balance available.
43 Stat., 596, 1149; vol. 4, 452.

The appropriation of $25,000 authorized by the Act of June 7, 1924, and appropriated by the Act of March 3, 1925, for the purchase of land with sufficient water right attached for the use and occupancy of the Temoak Band of homeless Indians located at Ruby Valley, Nevada, is hereby made available until June 30, 1929, for the same purpose: *Provided*, That not to exceed $500 of this amount may be used for necessary expenses in connection with the proposed purchase.

Proviso.
Purchase expenses.

Jicarilla Reservation, N. Mex.
Lands for addition to from tribal funds.
44 Stat., 1089; vol. 4, 932.

For the purchase of certain lands and appurtenances thereto situated within the exterior boundaries of the Jicarilla Reservation, New Mexico, as authorized by the Act of February 12, 1927, $10,000, payable from funds on deposit in the Treasury of the United States to the credit of the Jicarilla Indians, to be immediately available.

Eastern Cherokees in North Carolina.
Final disposition of affairs of.
43 Stat., 371; vol. 4, 422.

For carrying out the provisions of the Act entitled "An Act providing for the final disposition of the affairs of the Eastern Band of Cherokee Indians in North Carolina," approved June 4, 1924, $15,000, or so much thereof as may be necessary.

Kiowas, Comanches, and Apaches, Okla.
Maintenance, support of homesteads, etc.

For maintenance and support and improvement of the homesteads of the Kiowa, Comanche, and Apache Tribes of Indians in Oklahoma, $100,000, to be paid from the funds held by the United States in trust for said Indians and to be expended under such rules and

regulations as the Secretary of the Interior may prescribe: *Provided*, That the Secretary of the Interior shall report to Congress on the first Monday in December, 1929, a detailed statement as to all moneys expended as provided for herein.

Proviso.
Report to Congress.

For payment to the Kiowa, Comanche, and Apache Indians, of Oklahoma, under such rules and regulations as the Secretary of the Interior may prescribe, $100,000, from the tribal trust fund established by Joint Resolution of Congress, approved June 12, 1926 (Forty-fourth Statutes at Large, page 740), being a part of the Indians' share of the money derived from the south half of the Red River in Oklahoma.

Payment to, from oil royalties trust fund.

44 Stat., 740; vol. 4, 558.

INDUSTRIAL ASSISTANCE AND ADVANCEMENT

Industrial work, etc.

For the purposes of preserving living and growing timber on Indian reservations and allotments other than the Menominee Indian Reservation in Wisconsin, and to educate Indians in the proper care of forests; for the conducting of experiments on Indian school or agency farms designed to test the possibilities of soil and climate in the cultivation of trees, grains, vegetables, cotton, and fruits, and for the employment of practical farmers and stockmen, including $25,000 for the employment of agricultural college graduates scientifically trained and qualified to direct the agricultural activities of the Indians, in addition to the agency and school farmers now employed; for necessary traveling expenses of such farmers and stockmen and for furnishing necessary equipment and supplies for them; and for superintending and directing farming and stock raising among Indians $375,000: *Provided*, That this appropriation shall be available for the expenses of administration of Indian forest lands from which timber is sold to the extent only that proceeds from the sales of timber from such lands are insufficient for that purpose: *Provided further*, That not to exceed $100,000 of the amount herein appropriated may be used for the prevention of forest fires on Indian reservations: *Provided further*, That not to exceed $20,000 of the amount herein appropriated may be used to conduct experiments on Indian school or agency farms to test the possibilities of soil and climate in the cultivation of trees, cotton, grain, vegetables, and fruits, and for producing and maintaining a supply of suitable plants or seed for issue to Indians: *Provided also*, That the amounts paid to matrons, foresters, farmers, physicians, nurses, and other hospital employees, and stockmen provided for in this Act shall not be included within the limitations on salaries and compensation of employees contained in the Act of August 24, 1912.

Timber preservation, etc.

Agricultural experiments.

Farmers and stockmen.

Provisos.
Administering forest lands from timber sales, etc.

Forest fire prevention.

Amount for soil, etc., experiments.

Pay limitations not applicable.

37 Stat., 521; vol. 3, 532.

For expenses incidental to the sale of timber, and for the expenses of administration of Indian forest lands from which such timber is sold to the extent that the proceeds of such sales are sufficient for that purpose, $200,000, reimbursable to the United States as provided in the Act of February 14, 1920 (Forty-first Statutes at Large, page 415).

Timber sales, etc., expenses.

Reimbursement.
41 Stat. 415; 3ol. 4, 242.

To meet possible emergencies, not exceeding $50,000 of the appropriations made by this Act for timber operations in the Indian Service is hereby made available for the suppression of forest fires on Indian reservations, together with the unexpended balance of the appropriation made for this purpose for the fiscal year 1928 from the funds held by the United States in trust for the respective tribes of Indians interested: *Provided*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Emergencies for suppressing fires on reservations.

From tribal funds.
44 Stat., 942; vol. 4, 238.

Proviso.
Report to Congress.

For transfer to the Geological Survey for expenditures to be made in supervising mining operations on restricted, tribal and allotted

Geological Survey.
Supervising mining operations on leased lands, etc., by.

26 Stat., 795; vol. 1, 57.
35 Stat., 444, 783; vol. 3, 356, 391.

Indian lands leased under the provisions of the Acts of February 28, 1891, May 27, 1908, March 3, 1909, and other Acts authorizing the leasing of such lands for mining purposes $60,000 or so much thereof as may be necessary.

Encouraging farming, etc., for self support.

For the purpose of encouraging industry and self-support among the Indians and to aid them in the culture of fruits, grains, and other crops, $200,000, or so much thereof as may be necessary, which sum may be used for the purchase of seeds, animals, machinery, tools, implements, and other equipment necessary, and for advances to Indians having irrigable allotments to assist them in the development and cultivation thereof, in the discretion of the Secretary of the Interior, to enable Indians to become self-supporting: *Provided*, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1934: *Provided further*, That not to exceed $15,000 of the amount herein appropriated shall be expended on any one reservation or for the benefit of any one tribe of Indians, and that no part of this appropriation shall be used for the purchase of tribal herds: *Provided further*, That the Secretary of the Interior is hereby authorized, in his discretion and under such rules and regulations as he may prescribe, to make advances from this appropriation to old, disabled, or indigent Indian allottees, for their support, to remain a charge and lien against their lands until paid.

Provisos.
Repayment.

Limit to any one tribe.

Advances to old, etc., allottees.

Fort Belknap Indians, Mont.
Industrial assistance to, from tribal funds.

Industrial assistance, Fort Belknap Indians, Montana: For the construction of homes for individual members of the tribe, and for the purchase for sale to them of seed, animals, machinery, tools, implements, building material, and other equipment and supplies, under the reimbursable regulations of August 7, 1918, $25,000, payable from the funds on deposit in the United States Treasury to the credit of the Fort Belknap Indians, Montana, subject to expenditure in the discretion of the Secretary of the Interior: *Provided*, That all moneys so reimbursed during the fiscal year 1929 shall be credited to this appropriation and be available for the purposes of this paragraph.

Proviso.
Repayment credited.

Menominee Indians, Wis.
Industrial assistance to, from tribal funds.

Industrial assistance, Menominee Indians, Wisconsin: For the construction of homes for individual members of the tribe, and for the purchase for sale to them of seed, animals, machinery, tools, implements, building materials, and other equipment and supplies, and for advances to old, disabled, or indigent Indians for their support, $50,000, payable from the money on deposit in the United States Treasury to the credit of the Menominee Indians of Wisconsin, reimbursable, to be expended in the discretion of the Secretary of the Interior under such rules and regulations as he may prescribe: *Provided*, That all moneys so reimbursed during the fiscal year 1929 shall be credited to this appropriation and be available for the purposes of this paragraph.

Proviso.
Repayment credited.

Southern Utes, Colo.
Purchase of sheep for.
28 Stat., 678; vol. 1, 555.

For the purchase of sheep for the Southern Ute Indians as authorized by section 5 of the Act of February 20, 1895 (Twenty-eighth Statutes at Large, page 678), $20,000, to be taken from the proceeds of land sales under said Act and to be expended under such rules and regulations as the Secretary of the Interior may prescribe.

Water supply.

DEVELOPMENT OF WATER SUPPLY

Increasing grazing ranges, etc., by developing sources of, on reservations.

Developing water supply: For improving springs, drilling wells, and otherwise developing and conserving water for Indian use, including the purchase, construction, and installation of pumping machinery, tanks, troughs, and other necessary equipment, and for

necessary investigations and surveys for the purpose of increasing the available grazing range on unallotted lands on Indian reservations, including not more than $18,000 for the Papago Indian villages in Arizona, not more than $3,500 for the Pueblo Indian lands in New Mexico, and not more than $6,000 for water system for the Indians of the Reno-Sparks Indian Colony near Reno, Nevada, as authorized by the Act of arch 3, 1927, $32,500.

Distribution.

41 Stat., 1369; vol. 4, 942.

Developing water supply (from tribal funds): For improving springs, drilling wells, and otherwise developing and conserving water for Indian use, including the purchase, construction, and installation of pumping machinery, tanks, troughs, and other necessary equipment, and for necessary investigations and surveys for the purpose of increasing the available grazing range on unallotted lands on Indian reservations: For the Mescalero Reservation, New Mexico, $1,500; for the Consolidated Ute Reservation, Colorado, $1,500; for the Navajos on the Navajo Reservations in Arizona and New Mexico, $100,000; in all, $103,000, to be paid from funds held in trust for said tribes of Indians, respectively, by the United States.

Amount from tribal funds.

Reservations designated.

For improvement of the water supply, including construction of a deep well for the Northern Navajo School and Agency, Shiprock, New Mexico, $28,000, payable from the tribal funds to the credit of the Indians of the Northern Navajo jurisdiction.

Shiprock, N. Mex. Improving water supply at.

IRRIGATION AND DRAINAGE

Irrigation and drainage.

Construction, maintenance, etc., of systems of, on reservations.

For the construction, repair, and maintenance of irrigation systems, and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian reservations and allotments; for operation of irrigation systems or appurtenances thereto when no other funds are applicable or available for the purpose; for drainage and protection of irrigable lands from damage by floods or loss of water rights, upon the Indian irrigation projects named below, in not to exceed the following amounts, respectively:

Allotments to districts.

Irrigation district one: Colville Reservation, Washington, $8,000;

Irrigation district two: Walker River Reservation, Nevada, $6,000; Western Shoshone Reservation, Idaho and Nevada, $4,000; Shivwits, Utah, $250;

Irrigation district four: Ak Chin Reservation, Arizona, $4,000; Chiu Chui pumping plants, Arizona, $6,000; Coachella Valley pumping plants, California, $2,000; Morongo Reservation, California, $3,500; Pala and Rincon Reservations, California, $2,000; miscellaneous projects, $5,000;

Irrigation district five: New Mexico Pueblos, $11,000; Zuni Reservation, New Mexico, $7,500; Navajo and Hopi, miscellaneous projects, Arizona and New Mexico, $10,000; Southern Ute Reservation, Colorado, $10,000;

Administration.

Supervising engineers, etc.

For necessary miscellaneous expenses incident to the general administration of Indian irrigation projects, including salaries of not to exceed five supervising engineers, for pay of one chief irrigation engineer, one assistant chief irrigation engineer, one superintendent of irrigation competent to pass upon water rights, one field cost accountant, and for traveling and incidental expenses of officials and employees of the Indian irrigation service, $75,000;

Travel, etc., expenses.

Cooperative stream gauging.

Reimbursements.

For cooperative stream gauging with the United States Geological Survey, $850;

Unexpended balances reappropriated.

In all, for irrigation on Indian reservations, not to exceed $110,000, together with the unexpended balances of the appropriations for this

38 Stat., 582; vol. 4, 8.

purpose for the fiscal years 1926, 1927, and 1928, which are hereby reappropriated, reimbursable as provided in the Act of August 1, 1914 (Thirty-eighth Statutes at Large, page 582): *Provided*, That no part of this appropriation shall be expended on any irrigation system or reclamation project for which public funds are or may be otherwise available: *Provided further*, That the foregoing amounts appropriated for such purposes shall be available interchangeably, in the discretion of the Secretary of the Interior, for the necessary expenditures for damages by floods and other unforeseen exigencies: *Provided, however*, That the amount so interchanged shall not exceed in the aggregate 10 per centum of all the amounts so appropriated: *Provided further*, That the costs of irrigation projects and of operating and maintaining such projects where reimbursement thereof is required by laws shall be apportioned on a per acre basis against the lands under the respective projects and shall be collected by the Secretary of the Interior as required by such law, and any unpaid charges outstanding against such lands shall constitute a first lien thereon which shall be recited in any patent or instrument issued for such lands.[1]

Provisos.
Use restricted.

Flood damages expenses interchangeable.

Limit.

Apportionment of costs on per acre basis.

Unpaid charges, a first lien on property.

Gila River Reservation.
Irrigating Pima Indian lands on.

For operation and maintenance of the pumping plants and irrigation system for the irrigation of the lands of the Pima Indians in the vicinity of Sacaton, on the Gila River Indian Reservation, Arizona, $13,000, reimbursable as provided in section 2 of the Act of August 24, 1912 (Thirty-seventh Statutes at Large, page 522).

37 Stat., 522; vol. 3, 533.

San Carlos project, Ariz.
Operation, etc.
43 Stat. 475; vol. 4, 447.

Delivery to lands on Gila River Reservation.

Provisos.
Developing power at Coolidge Dam.

Contract required for repaying cost by water users associations.

Transmission line from dam to Rice Agency, etc.

Payment of tribal damages.

For all purposes necessary to provide an adequate distributing, pumping and drainage system for the San Carlos project, authorized by the Act of June 7, 1924 (Forty-third Statutes, page 475), and to continue construction of and to maintain and operate works of that project and of the Florence-Casa Grande project; and to maintain, operate, and extend works to deliver water to lands in the Gila River Indian Reservation which may be included in the San Carlos project, including not more than $5,000 for crop and improvement damages and not more than $5,000 for purchases of rights-of-way, $485,000: *Provided*, That in addition to the amount herein appropriated the Secretary of the Interior may also incur obligations and enter into contract for development of electrical power at the Coolidge Dam as an incident to the use of the Coolidge Reservoir for irrigation, such contract not exceeding a total of $350,000 and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof: *Provided further*, That no such obligation shall be incurred or contract entered into until a contract satisfactory to the Secretary of the Interior shall have been executed by the Florence-Casa Grande Water Users' Association providing for repayment of the cost of construction of said power plant as a part of the cost of said project and for furnishing power for agency and school purposes and for pumping for irrigation by Indians on the San Carlos Reservation at a cost not exceeding 2 mills per kilowatt-hour delivered at the switchboard at the Coolidge Dam: *Provided further*, That the use of not more than $20,000 of the sum made available for the replacement at Rice Station, Arizona, of agency buildings to be abandoned at San Carlos and for enlargement of the Rice Station boarding school by the Act approved December 22, 1927, is authorized for construction of a transmission line from the Coolidge Dam to Rice for said school and agency: *Provided further*, That the use of not to exceed $80,000 of funds made available in the

[1] 52 I. D. D. 711.

Act approved December 22, 1927, for the payment of tribal damages is authorized for construction of a transmission line including substation from the Coolidge Dam to lands available for irrigation by pumping on the San Carlos Reservation: *Provided further*, That the Secretary of the Interior is authorized to sell surplus power developed at the Coolidge Dam in such manner and upon such terms and for such prices as he shall think best, and the net revenues from such and all sales of power at that plant shall be devoted, first, to reimbursing the United States for the cost of developing such electrical power as that cost shall be determined by the Secretary of the Interior; second, to reimbursing the United States for the cost of the San Carlos irrigation project; third, to payment of operation and maintenance charges, and the making of repairs and improvements on said project: *Provided further*, That reimbursements to the United States from power revenues shall not reduce the annual payments from landowners on account of the principal sum constituting the cost of construction of the power plant or the project works until such sum shall have been paid in full: *Provided further*, That the Federal Power Commission is hereby directed, within sixty days after the approval of this Act, to report to Congress what compensation, if any, in addition to that already provided for, should be paid to the Apache Indians of the San Carlos Reservation by reason of the generation of hydroelectric power at the Coolidge Dam, in the manner provided in section 10 (e) of the Federal Water Power Act and section 5 of Regulation 14 of the Federal Power Commission: *Provided further*, That the Secretary of the Interior is authorized in his discretion to effect a merger of the Florence-Casa Grande project in whole or in part with the San Carlos project and to require payments for both projects under the terms of the San Carlos Act: *Provided further*, That the cost of construction for the Gila River Indian Reservation as to works not included in said project and the cost of construction and operation of that part of the Florence-Casa Grande project not included in said project shall be reimbursed as provided for by the Acts of August 24, 1912 (Thirty-seventh Statutes, page 522), and May 18, 1916 (Thirty-ninth Statutes, page 130), respectively: *Provided further*, That the Secretary of the Interior is authorized to accept the conveyance to the United States for the benefit of the San Carlos project of canals, reservoirs, pumping plants, water rights, lands, and rights of way, and he may pay for damage to crops and improvements incident to constructing project work: *Provided further*, That the Secretary of the Interior is authorized to contract with the State of Arizona, and with towns, villages, and municipalities of that State for delivering water to them from the San Carlos project upon such terms as he shall think best: *Provided further*, That the provisions in the Acts of June 30, 1913 (Thirty-eighth Statutes at Large, page 85), and August 1, 1914 (Thirty-eighth Statutes at Large, page 588), making the cost of two bridges on the San Carlos Reservation reimbursable from Indian tribal funds, are hereby repealed except as to the $10,000 heretofore reimbursed.

Sale of surplus power.

Use of revenues.

Payments from landowners continued.

Report to Congress of compensation to be paid to Apaches.

Merger of projects authorized.

Reimbursement of construction costs, etc.

37 Stat., 522; vol. 3, 533; 39 Stat., 130; vol. 4, 60.

Acceptance of lands, etc., payment for crop damages, etc.

Contracts authorized to deliver water to Arizona, towns, etc., from San Carlos project.

Reimbursing cost of bridges on San Carlos Reservation, repealed. 38 Stat., 85, 588; vol. 3, 569.

For improvement, operation, and maintenance of the pumping plants and irrigation system on the Colorado River Indian Reservation, Arizona, as provided in the Act of April 4, 1910 (Thirty-sixth Statutes at Large, page 273), $5,000, reimbursable as provided in the aforesaid Act.

Colorado River Reservation, Ariz. Extending irrigation system on. 36 Stat., 273; vol. 3, 432.

For operation and maintenance of the Ganado irrigation project, Arizona, reimbursable under such rules and regulations as the Secretary of the Interior may prescribe, $3,000.

Ganado project, Ariz. Operating.

San Xavier Reservation, Ariz.
Operating pumping plants.

For operation and maintenance of the irrigation project on the San Xavier Indian Reservation, Arizona, $2,000, reimbursable out of any funds of the Indians of this reservation now or hereafter available.

San Carlos Reservation, Ariz.
Irrigating tribal lands on.

For the operation and maintenance of pumping plants for the irrigation of lands on the San Carlos Reservation in Arizona, $7,000, to be paid from the funds held by the United States in trust for the Indians of such reservation: *Provided*, That the sum so used shall be reimbursed to the tribe by the Indians benefited, under such rules and regulations as the Secretary of the Interior may prescribe.

Yuma Reservation, Calif.
Advancing charges on lands of, and in Arizona.
36 Stat., 1063; vol. 3, 492.

For reclamation and maintenance charges on Indian lands within the Yuma Reservation, California, and on ten acres within each of the eleven Yuma homestead entries in Arizona, under the Yuma reclamation project, $7,000, reimbursable as provided by the Act of March 3, 1911 (Thirty-sixth Statutes at Large, page 1063).

Fort Hall Reservation, Idaho.
Operation.

For improvements, maintenance, and operation of the Fort Hall irrigation system, Idaho, $18,000.

Gibson unit.
Extending system.
44 Stat., 1398; vol. 4, 943.

Gibson unit: For extension of the irrigation system over an area of 9,670 acres of land within the Fort Hall irrigation project, Idaho, $145,000, as authorized by the Act of March 3, 1927 (Forty-fourth Statutes at Large, pages 1398–1399), and under the terms and conditions of, and reimbursable as provided in, said Act.

Fort Belknap Reservation, Mont.
Operating.

For maintenance and operation, including repairs of the irrigation systems on the Fort Belknap Reservation, in Montana, $20,000, reimbursable in accordance with the provisions of the Act of April 4, 1910.

Flathead Reservation, Mont.
Construction.
44 Stat., 464, 945, vol. 4, 530, 918.

Flathead irrigation project, Montana: The unexpended balance of the appropriation for continuing construction of the irrigation systems on the Flathead Indian Reservation, Montana, contained in the Act of May 10, 1926 (Forty-fourth Statutes at Large, pages 464–466), as continued available in the Act of January 12, 1927 (Forty-fourth Statutes at Large, page 945), shall remain available for the fiscal year 1929, subject to the conditions and provisions of said Acts: *Provided*, That the unexpended balance of the $395,000 available for continuation of construction of a power plant may be used, in the discretion of the Secretary of the Interior, for the construction and operation of a power distributing system and for purchase of power for said project but shall be available for that purpose only upon execution of an appropriate repayment contract as provided for in said Acts: *Provided further*, That the net revenues derived from the operation of such distributing system shall be used to reimburse the United States in the order provided for in said Acts: *Provided further*, That the Federal Power Commission is authorized in accordance with the Federal Water Power Act and upon terms satisfactory to the Secretary of the Interior, to issue a permit or permits or a license or licenses for the use, for the development of power, of power sites on the Flathead Reservation and of water rights reserved or appropriated for the irrigation projects: *Provided further*, That rentals from such licenses for use of Indian lands shall be paid the Indians of said reservation as a tribe, which money shall be deposited in the Treasury of the United States to the credit of said Indians, and shall draw interest at the rate of 4 per centum: *Provided further*, That the public notice provided for in the Act of January 12, 1927, shall be issued by the Secretary of the Interior upon the 1st day of November, 1930: *Provided further*, That in his discretion the Secretary of the Interior may provide in such repayment contracts for covering into construction costs the

Balances available.

Provisos.
Power plant balance may be used for power distributing system.

Repayment contract required.
Reimbursement from net revenues.

Leases authorized by Federal Power Commission.

Rentals for Indian lands to be deposited to credit of tribe.

Public notice.

Discretionary conditions in repayment contracts.

operation and maintenance charges for the irrigation season of 1928 and all undistributed operation and maintenance cost, and may extend the time for payment of operation and maintenance charges now due and unpaid for such period as in his judgment may be necessary, the charges now due so extended to bear interest payable annually at the rate of 6 per centum per annum until paid, and to contract for the payment of the construction charges now due and unpaid within such term of years as the Secretary may find to be necessary with interest payable annually at the rate of 6 per centum per annum until paid: *Provided further*, That not more than $35,000 of said reappropriated balance of $395,000 shall be immediately available for operation and maintenance, and $75,000 shall be available for construction of laterals near Ronan upon the execution of appropriate repayment contract as provided for in said Acts.

Amount immediately available.

Laterals near Ronan.

For maintenance and operation of the Poplar River, Little Porcupine, and Big Porcupine divisions of the irrigation systems on the Fort Peck Indian Reservation in Montana, by and under the direction of the Commissioner of Indian Affairs, including the purchase of any necessary rights or property, $7,500 (reimbursable).

Fort Peck Reservation, Mont.
Operating divisions of systems on.

For improvement, maintenance, and operation of the Two Medicine and Badger-Fisher divisions of the irrigation systems on the Blackfeet Indian Reservation in Montana, by and under the direction of the Commissioner of Indian Affairs, including the purchase of any necessary rights or property, $45,000 (reimbursable), to be immediately available.

Blackfeet Reservation, Mont.
Operating divisions of systems on.

For maintenance and operation of the irrigation systems on the Crow Reservation, Montana, including maintenance assessments payable to the Two Leggings Water Users' Association and Bozeman Trail Ditch Company, Montana, properly assessable against lands allotted to the Indians irrigable thereunder, $1,000, to be reimbursed under such rules and regulations as may be prescribed by the Secretary of the Interior.

Crow Reservation, Mont.
Operating systems on.

For operation and maintenance of the irrigation system on the Pyramid Lake Reservation, Nevada, $4,000, reimbursable from any funds of the Indians of this reservation now or hereafter available.

Pyramid Lake Reservation, Nev.
Operating system on.

For payment of annual installment of reclamation charges against Paiute Indian lands within the Newlands reclamation project, Nevada, $3,461; for payment of delinquent reclamation charges, $4,511; and for payment in advance, as provided by district law, of operation and maintenance assessments, including assessments for the operation of drains for the fiscal years 1928 and 1929, to the Truckee-Carson irrigation district, which district, under contract, is operating the Newlands reclamation project, $15,217; in all, $23,189.

Newlands project, Nev.
Paying charges on Paiute lands on.

For improvement, operation, and maintenance of the irrigation system for the Laguna and Acoma Indians in New Mexico, $3,000, reimbursable by the Indians benefited, under such rules and regulations as the Secretary of the Interior may prescribe.

Laguna and Acoma Indians, N. Mex.
Operating system for.

For improvement, operation, and maintenance of the Hogback irrigation project on that part of the Navajo Reservation in New Mexico under the jurisdiction of the Northern Navajo Agency, $7,000, reimbursable under such rules and regulations as the Secretary of the Interior may prescribe.

Navajo Reservation, N. Mex.
Operating Hogback project on.

For repair of damage to irrigation systems resulting from flood and for flood protection of irrigable lands on the several pueblos in New Mexico, the unexpended balance of the appropriation for this purpose for the fiscal year 1928 shall be available for the same purpose for the fiscal year 1929.

New Mexico pueblos.
Repairing flood damages to irrigating systems on.

Klamath Reservation, Oreg.
Operating projects on, from tribal funds.

For improvement, maintenance, and operation of miscellaneous irrigation projects on the Klamath Reservation, $6,000, to be paid from the funds held by the United States in trust for the Klamath Indians in the State of Oregon, said sum, or such part thereof as may be used, to be reimbursed to the tribe under such rules and regulations as the Secretary of the Interior may prescribe.

Uncompahgre, etc., Utes, Utah.
Continuing irrigation to allotments of.

For continuing operation and maintenance and betterment of the irrigation system to irrigate allotted lands of the Uncompahgre, Uintah, and White River Utes in Utah, authorized under the Act of June 21, 1906, $10,000, to be paid from tribal funds held by the United States in trust for said Indians, said sum to be reimbursed to the tribal fund by the individuals benefited under such rules and regulations as may be prescribed by the Secretary of the Interior.

Yakima Reservation, Wash.
Operating Toppenish-Simcoe unit on.
41 Stat. 28; vol. 4, 218.

For operation and maintenance, including repairs, of the Toppenish-Simcoe irrigation unit, on the Yakima Reservation, Washington, reimbursable as provided by the Act of June 30, 1919 (Forty-first Statutes at Large, page 28), $1,000.

Reimbursing reclamation fund for furnishing stored water to reservation lands.
38 Stat., 604; vol. 4, 29.

For reimbursement to the reclamation fund the proportionate expense of operation and maintenance of the reservoirs for furnishing stored water to the lands in Yakima Indian Reservation, Washington, in accordance with the provisions of section 22 of the Act of August 1, 1914 (Thirty-eighth Statutes at Large, page 604), $11,000.

Wapato system, Wash.
Operating, etc.
38 Stat., 102; vol. 4, 30.

For continuing construction of the Wapato irrigation and drainage system, for the utilization of the water supply provided by the Act of August 1, 1914 (Thirty-eighth Statutes at Large, page 604), $185,000, reimbursable: *Provided*, That the unexpended balance of the appropriation for this purpose for the fiscal year 1928 shall remain available for the same purpose until June 30, 1929.[1]

Proviso.
Balance available.
44 Stat., 946; vol. 4, 913.

Satus unit.
Maintenance of gravity project.

For operation and maintenance of the Satus unit of the Wapato project that can be irrigated by gravity from the drainage water from the Wapato project, Yakima Reservation, Washington, $3,000, to be reimbursed under such rules and regulations as the Secretary of the Interior may prescribed.

Lummi Reservation, Wash.
Reclaiming Indian, etc., lands in.

The unexpended balance of the appropriation of $65,000 contained in the Second Deficiency Act, fiscal year 1926, for the purpose of reclaiming certain lands in Indian and private ownership within and immediately adjacent to the Lummi Indian Reservation, in the State of Washington, which is reimbursable in accordance with the provisions of the Act of March 18, 1926 (Forty-fourth Statutes at Large, pages 211 and 212), is hereby made available for the same purpose until June 30, 1929.

Reappropriation.
44 Stat., 856; vol. 4, 904.
44 Stat., 211; vol. 4, 517.

Wind River Reservation, Wyo.
Extending irrigation to additional Indian lands, etc.

For the extension of canals and laterals on the ceded portion of the Wind River Reservation, Wyoming, to provide for the irrigation of additional Indian lands, and for the Indians' pro rata share of the cost of the operation and maintenance of canals and laterals and for the Indians' pro rata share of the cost of the Big Bend drainage project on the ceded portion of that reservation, and for continuing the work of constructing an irrigation system within the diminished reservation, including the Big Wind River and Dry Creek Canals, and including the maintenance and operation of completed canals, $25,000, reimbursable as provided by existing law.

UNEXPENDED BALANCES

Unexpended Indian balances covered into the Treasury.

The following unexpended balances of the appropriations hereinafter enumerated shall be covered into the Treasury and carried to the surplus fund immediately upon the approval of this Act:

[1] 53 I. D. D., 632.

Purchase of allotments for Wisconsin Band of Pottawatomi, Wisconsin and Michigan (reimbursable), Act of June 30, 1913 (Thirty-eighth Statutes at Large, page 102), $4,347.23;

Wisconsin Pottawatomies.
38 Stat., 102, vol. 3, 586.

Court costs, and so forth, in suits of Indian allottees, Five Civilized Tribes, Act of April 4, 1910 (Thirty-sixth Statutes at Large, page 281), $500;

Indian allottees suits, Five Civilized Tribes.
36 Stat., 281; vol. 3, 441.

Equalizing allotments, Creek Freedmen, Five Civilized Tribes, Act of April 4, 1910 (Thirty-sixth Statutes at Large, page 281), $1,393.40;

Creek Freedman allotments.
36 Stat., 281; vol 3, 441.

Land and water rights for Navajoes, Arizona and New Mexico, Act of March 3, 1909 (Thirty-fifth Statutes at Large, page 787), $3,369.82;

Navajoes, Ariz. and N. Mex., water rights.
35 Stat., 787; vol. 3, 394.

Purchase of land for landless Indians in California, Act of August 1, 1914 (Thirty-eighth Statutes at Large, page 589), $198.72; Spillway and drainage ditch, Lake Andes, South Dakota, Act of September 22, 1922 (Forty-second Statutes at Large, page 990), $48,612.76;

Landless Indians, Calif.
38 Stat., 589; vol. 4, 14.

Lake Andes, S. Dak., Spillway.
42 Stat., 990; vol. 4, 374.

Cherokee Orphan Training School, Five Civilized Tribes, Oklahoma, dining hall and equipment, Act of March 3, 1921 (Forty-first Statutes at Large, page 1242), $1,847.63;

Cherokee School, Okla.
41 Stat., 1242, vol. 4, 309.

Indian school, Fort Totten, North Dakota, barn, Act of May 18, 1916 (Thirty-ninth Statutes at Large, page 144), $269.81;

Fort Totten School, N. Dak.
39 Stat., 144; vol. 4, 74.

Indian school, Pierre, South Dakota, proceeds of school farm, Act of April 21, 1904 (Thirty-third Statutes at Large, page 214), $542.75;

Pierre School, S. Dak.
33 Stat., 214; vol. 3, 59.

In all, $61,082.12.

EDUCATION

Education.

For the support of Indian day and industrial schools not otherwise provided for, and other educational and industrial purposes in connection therewith, $2,565,000: *Provided*, That not to exceed $10,000 of this appropriation may be used for the support and education of deaf and dumb or blind or mentally deficient Indian children: *Provided further*, That $3,500 of this appropriation may be used for the education and civilization of the Alabama and Coushatta Indians in Texas: *Provided further*, That all reservation and nonreservation boarding schools with an average attendance in any year of less than forty-five and eighty pupils, respectively, shall be discontinued on or before the beginning of the ensuing fiscal year. The pupils in schools so discontinued shall be transferred first, if possible, to Indian day schools or State public schools; second, to adjacent reservation or nonreservation boarding schools, to the limit of the capacity of said schools: *Provided further*, That all day schools with an average attendance in any year of less than eight shall be discontinued on or before the beginning of the ensuing fiscal year: *Provided further*, That all moneys appropriated for any school discontinued pursuant to this Act or for other cause shall be returned immediately to the Treasury of the United States: *Provided further*, That not more than $375,000 of the amount herein appropriated may be expended for the tuition of Indian children enrolled in the public schools under such rules and regulations as the Secretary of the Interior may prescribe, but formal contracts shall not be required, for compliance with section 3744 of the Revised Statutes, for payment of tuition of Indian children in public schools or of Indian children in schools for the deaf and dumb, blind, or mentally deficient.

Support of schools.

Provisos.
Deaf and dumb, blind, etc.

Alabamas and Coushattas, Tex.

Boarding schools with diminished attendance discontinued.

Pupils transferred.

Day schools discontinued.

Moneys returned to the Treasury.

Education in public schools.

No formal contracts.
R. S., sec. 3744, p. 738.

For the support of Indian day and industrial schools, and other educational and industrial purposes in connection therewith, other than among the Five Civilized Tribes, there shall be expended from Indian tribal funds and from school revenues arising under the Act of May 17, 1926, not more than $750,000, including $8,000 for con-

For support of schools from Indian moneys.

44 Stat., 560, vol. 4, 548.

Red Lake, Minn., building.

struction, Red Lake, Minnesota; and not exceeding $10,000 from the principal sum on deposit to the credit of the Chippewa Indians in Minnesota, arising under section 7 of the Act approved January 14, 1889, for the construction, equipment, and maintenance of additional public schools in connection with and under the control of the public school system of the State of Minnesota, said additional school buildings to be located at places contiguous to Indian children who are now without proper public school facilities: *Provided*, That not more than $7,500 of the above authorization of $750,000 shall be expended for new construction at any one school unless herein expressly authorized.

Chippewas in Minn. Additional public schools. 25 Stat. 645, vol. 1, 301.

Proviso. New construction expenses limited.

Five Civilized Tribes. Tribal, etc., schools from Indian funds.

The Secretary of the Interior is hereby authorized to continue during the ensuing fiscal year the tribal and other schools among the Choctaw, Chickasaw, Creek, and Seminole Tribes from the tribal funds of those nations, within his discretion and under such rules and regulations as he may prescribe and to expend such funds available for school purposes under existing law for such repairs, improvements, or new buildings as he may deem essential for the proper conduct of the several schools of said tribes: *Provided*, That there may be expended from the tribal funds of the Seminole Nation the sum of $33,000, and from the tribal funds of the Choctaw Nation the sum of $135,000, for educational purposes: *Provided further*, That there may be expended from the tribal funds of the Choctaw Nation for purchase of pasture land for Wheelock Academy not to exceed $600; and for one-half the cost of repairs to the road between Wheelock Academy and the highway, not to exceed $3,000.

Provisos. Allotments to Seminoles and Choctaws.

Wheelock Academy. Expenditures from Choctaw funds.

Collecting, etc., pupils.

For collection and transportation of pupils to and from Indian and public schools, and for placing school pupils, with the consent of their parents, under the care and control of white families qualified to give them moral, industrial, and educational training, $90,000: *Provided*, That not exceeding $7,000 of this sum may be used for obtaining remunerative employment for Indians and, when necessary, for payment of transportation and other expenses to their places of employment: *Provided further*, That when practicable such transportation and expenses shall be refunded and shall be returned to the appropriation from which paid. The provisions of this section shall also apply to native Indian pupils of school age under twenty-one years of age brought from Alaska.

Provisos. Obtaining employment.

Repayment.

Alaska pupils.

School buildings. Construction, repairs, etc.

For construction, lease, purchase, repair, and improvement of school buildings, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $398,000: *Provided*, That not more than $7,500 out of this appropriation shall be expended for new construction at any one school or institution unless herein expressly authorized: *Provided further*, That from this appropriation new construction is authorized as follows: For central heating and power plant, Eastern Navajo School, not to exceed $37,000; for remodeling, improving, and enlarging the Rice Station Boarding School, San Carlos Reservation, Arizona, including equipment, $49,323; for a day school for the Choctaw Indians of Mississippi, $10,000; for central heating plant and water supply, Seneca Indian School, Oklahoma, $35,000; and for the construction and equipment of a school building in or near Burns, Oregon, to be immediately available, $8,000.

Provisos. Construction limit.

New construction of designated schools.

Support, etc., of designated boarding schools. Fort Mojave, Ariz.

For support and education of Indian pupils at the following boarding schools in not to exceed the following amounts, respectively:

Fort Mojave, Arizona: For two hundred and fifty pupils, $60,000; for pay of superintendent, drayage, and general repairs and improvements, $12,000; in all, $72,000;

Phoenix, Arizona: For nine hundred and fifty pupils, including not to exceed $1,500 for printing and issuing school paper, $218,500; for pay of superintendent, drayage, and general repairs and improvements, $23,000; in all, $241,500: *Provided*, That the sum of $11,000 appropriated in the Act of March 3, 1925, making appropriations for the Department of the Interior for the fiscal year ending June 30, 1926 (Forty-third Status at Large, page 1156), for the purchase of approximately eighteen acres of land adjacent to the United States Indian school, Phoenix, Arizona, is hereby made available for the same purpose until June 30, 1929;

Phoenix, Ariz.

Proviso.
Purchase of additional lands.
Amount available.
43 Stat., 1156; vol. 4, 497.

Truxton Canyon, Arizona: For two hundred and fifteen pupils, $51,600; for pay of superintendent, drayage, and general repairs and improvements, $22,000, including $10,000 for new heating plant and $5,000 for lavatory annexes; in all, $73,600;

Truxton Canyon, Ariz.

Theodore Roosevelt Indian School, Fort Apache, Arizona: For four hundred and fifty pupils, $108,000; for pay of superintendent, drayage, and general repairs and improvements, including not more than $3,000 for repairs and improvements to roads and bridges, $40,000; for new school building and equipment, $60,000; in all, $208,000: *Provided*, That the Secretary of the Interior is hereby authorized and directed to change and relocate the boundaries of the old Fort Apache Military Reservation, Arizona, now occupied by the Theodore Roosevelt Indian School by transferring such areas to the Fort Apache Indian Reservation as he may deem advisable by reason of the use and/or occupancy of a part thereof by Apache Indians and to transfer an approximately equal area of lands of the Fort Apache Indian Reservation to the Theodore Roosevelt Indian School reservation, such exchanges of land to be made in accordance with surveys based upon the Salt River base and meridian, the expenses of such surveys to be paid from appropriations for the survey of Indian lands;

Theodore Roosevelt, Fort Apache, Ariz.

Proviso.
Areas transferred.

Sherman Institute, Riverside, California: For one thousand pupils, including not to exceed $1,000 for printing and issuing school paper, $230,000; for pay of superintendent, drayage, and general repairs and improvements, $15,000; for employees' quarters, $10,000; in all, $255,000;

Sherman Institute, Riverside, Calif.

Fort Bidwell Indian School, California: For one hundred pupils, $26,000; for the pay of superintendent, drayage, and general repairs and improvements, $8,000; in all, $34,000;

Fort Bidwell, Calif.

Haskell Institute, Lawrence, Kansas: For eight hundred and fifty pupils, including not to exceed $1,500 for printing and issuing school paper, $195,500; for pay of superintendent, drayage, purchase of water for domestic purposes, and general repairs and improvements, including necessary drainage work, $27,000; for remodeling and reconditioning boys' dormitories, $25,000; in all, $247,500;

Haskell Institute, Kans.

Mount Pleasant, Michigan: For three hundred and seventy-five pupils, $90,000; for pay of superintendent, drayage, and general repairs and improvements, $12,500; in all, $102,500;

Mount Pleasant, Mich.

Pipestone, Minnesota: For three hundred pupils, $72,000; for pay of superintendent, drayage, and general repairs and improvements, $15,000; for addition to academic building and assembly hall, $34,500; in all, $121,500;

Pipestone, Minn.

Genoa, Nebraska: For five hundred pupils, $115,000; for pay of superintendent, drayage, and general repairs and improvements, $15,000 for addition to power house, and remodeling and improving the heating, lighting, and power plant, $50,000, to be immediately available; in all, $180,000;

Genoa, Nebr.

Carson City, Nevada: For four hundred and sixty pupils, $110,400; for pay of superintendent, drayage, and general repairs and improve-

Carson City, Nev.

ments, $17,500; for new girls' dormitory and equipment, $45,000; in all, $172,900;

Albuquerque, N. Mex. Albuquerque, New Mexico: For eight hundred and fifty pupils, $195,500; for pay of superintendent, drayage, and general repairs and improvements, $15,000; for completing construction of central heating plant, $20,000; for enlargement of sewing room and laundry, $4,000; for purchase of approximately twenty acres of additional land, $22,000, to be immediately available; in all, $256,500;

Santa Fe, N. Mex. Santa Fe, New Mexico: For five hundred pupils, $120,000; for pay of superintendent, drayage, and general repairs and improvements, $15,000; for new hospital and equipment, $50,000; for remodeling and repairing old boys' dormitory, $10,000; in all, $195,000.

Charles H. Burke, Fort Wingate, N. Mex. Charles H. Burke School, Fort Wingate, New Mexico: For six hundred pupils, $138,000; for pay of superintendent, drayage, and general repairs and improvements, $20,000; in all, $158,000.

Cherokee, N. C. Cherokee, North Carolina: For three hundred and fifty pupils, $84,000; for pay of superintendent, drayage and general repairs and improvements, $10,000; in all, $94,000: *Provided*, That not to exceed $3,976 of the appropriation of $10,000 for the purchase of additional land for school and other purposes, contained in the Interior Department Appropriation Act approved March 3, 1925, is hereby made available until June 30, 1929, for compensating the Indian occupants of approximately fifty-nine acres of land reserved for school purposes on the Cherokee Indian Reservation, North Carolina, for their improvements and possessory rights.

Proviso.
Payment to Indians for improvements, etc., on reserved lands.

Bismarck, N. Dak. Bismarck, North Dakota: For one hundred and twenty-five pupils, $32,500; for pay of superintendent, drayage, and general repairs and improvements, $7,000; in all, $39,500;

Fort Totten, N. Dak. Fort Totten, North Dakota: For two hundred and fifty pupils, $60,000; for pay of superintendent, drayage, and general repairs and improvements, $16,500, including $3,500 for hog house; in all, $76,500;

Wahpeton, N. Dak. Wahpeton, North Dakota: For three hundred and twenty-five pupils, $78,000; for pay of superintendent, drayage, and general repairs and improvements, $8,000; for additions to classrooms, dormitories, and dining room, construction of two employees' cottages and remodeling old school building into employees' dining room and kitchen, $75,000 to be immediately available; in all, $161,000;

Chilocco, Okla. Chilocco, Oklahoma: For eight hundred and fifty pupils, including not to exceed $2,000 for printing and issuing school paper, $195,500; for pay of superintendent, drayage, and general repairs and improvements, $15,000; for repairs and improvements to power house and lighting system, $20,000; for reconstruction and equipment of gymnasium and shop building, $45,000, to be immediately available; for domestic science building and barn, $11,000; in all, $286,500;

Sequoyah Orphan Training, Okla. Sequoyah Orphan Training School, near Tahlequah, Oklahoma: For three hundred orphan Indian children of the State of Oklahoma belonging to the restricted class, to be conducted as an industrial school under the direction of the Secretary of the Interior, $72,000; for pay of superintendent, drayage, and general repairs and improvements, $11,000; for the purchase of additional land, $10,000; in all, $93,000;

Euchee, Okla. Euchee, Oklahoma: For one hundred and fifteen pupils, $29,900; for pay of superintendent, drayage, and general repairs and improvements, $6,000; in all, $35,900;

Eufaula, Okla. Eufaula, Oklahoma: For one hundred and twenty-five pupils, $32,500; for pay of superintendent, drayage, and general repairs and improvements, $7,000; in all, $39,500;

Chemawa, Salem, Oregon: For nine hundred pupils, including native Indian pupils brought from Alaska, including not to exceed $1,000 for printing and issuing school paper, $207,000; for pay of superintendent, drayage, and general repairs and improvements, $20,000; for new septic tank and sewer system, $10,000; for employees' quarters, $8,000; for new small girls' dorimitory, $30,000; in all, $275,000: *Provided*, That except upon the individual order of the Secretary of the Interior no part of this appropriation shall be used for the support or education at said school of any native pupil brought from Alaska after January 1, 1925;

Chemawa, Salem, Oreg.

Proviso.
Restriction on Alaska natives.

Flandreau, South Dakota: For four hundred pupils, $96,000; for pay of superintendent, drayage, and general repairs and improvements, $27,000, including $15,000 for repairs and improvements to large boys' dormitory; in all, $123,000;

Flandreau, S. Dak.

Pierre, South Dakota: For three hundred pupils, $72,000; for pay of superintendent, drayage, and general repairs and improvements, $15,000; in all, $87,000.

Pierre, S. Dak.

Rapid City, South Dakota: For three hundred and ten pupils, $74,400; for pay of superintendent, drayage, and general repairs and improvements, including not to exceed $5,000 for construction of new laundry building, and not to exceed $2,500 for remodeling dairy barn, $15,000; in all, $89,400.

Rapid City, S. Dak.

Hayward, Wisconsin: For one hundred and fifty pupils, $39,000; for pay of superintendent, drayage, and general repairs and improvements $8,000; in all $47,000.

Hayward, Wis.

Tomah Wisconsin: For three hundred and fifty pupils, $84,000; for pay of superintendent, drayage, and general repairs and improvements, $10,000, and the unexpended balance of the appropriation for rebuilding and refurnishing school building at the Tomah School contained in the Act of September 22, 1922 (Forty-second Statutes at Large, page 1050), is hereby made available for general repairs and improvements during the fiscal year 1929; for additional lavatory facilities, $7,500; for enlarging small girls' dormitory, $10,000; for addition to dining hall for home economics, $18,000; in all, $129,500;

Tomah, Wis.

Unexpended balance available.
42 Stat., 1050; vol. 4, 394.

In all, for above-named boarding schools, not to exceed $3,810,000.

To enable the Secretary of the Interior to carry into effect the provisions of the sixth article of the treaty of June 1, 1868, between the United States and the Navajo Nation or Tribe of Indians, proclaimed August 12, 1868, whereby the United States agrees to provide school facilities for the children of the Navajo Tribe of Indians, $50,000: *Provided*, That the said Secretary may expend said funds in his discretion in establishing or enlarging day or industrial schools.

Navajoes.
School facilities for.
15 Stat., 669; vol. 2, 1017.

Proviso.
Discretionary use.

The Secretary of the Interior is authorized to withdraw from the Treasury of the United States, in his discretion, the sum of $35,000, or so much thereof as may be necessary, of the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota arising under section 7 of the Act of January 14, 1889, and to expend the same for payment of tuition for Chippewa Indian children enrolled in the public schools of the State of Minnesota.

Chippewas of Minnesota.
Tuition of children in State schools, from tribal funds.
25 Stat., 645; vol. 1, 301.

For support of a school or schools for the Chippewas of the Mississippi in Minnesota (article 3, treaty of March 19, 1867), $4,000.

Chippewas of the Mississippi.
Schools for.
16 Stat., 720; vol. 2, 975.

For the education of Osage children, $8,000, to be paid from the funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma: *Provided*, That the expenditure of said money shall include the renewal of the present contract with the Saint Louis

Osages in Oklahoma.
Educating children from tribal funds.

Proviso.
Saint Louis Boarding School.

Mission Boarding School, except that there shall not be expended more than $240 for annual support and education of any one pupil.

Five Civilized Tribes. Common schools.

For aid to the common schools in the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Nations and the Quapaw Agency in Oklahoma, $150,000, to be expended in the discretion of the Secretary of the Interior, and under rules and regulations to be prescribed by him: *Provided*, That this appropriation shall not be subject to the limitation in section 1 of the Act of May 25, 1918 (Fortieth Statutes, page 564), limiting the expenditure of money to educate children of less than one-fourth Indian blood.

Proviso. Parentage limitation not applicable.

Sioux Indians. Day and industrial schools. 19 Stat., 254; vol. 1, 170.

For support and maintenance of day and industrial schools among the Sioux Indians, including the erection and repairs of school buildings, $250,000, in accordance with the provisions of article 5 of the agreement made and entered into September 26, 1876, and ratified February 28, 1877 (Nineteenth Statutes, page 254).

Uintah and Duchesne Counties, Utah. Aid to school districts.

For aid of the public schools in Uintah and Duchesne County school districts, Utah, $6,000, to be paid from the tribal funds of the Confederated Bands of Ute Indians and to be expended under such rules and regulations as may be prescribed by the Secretary of the Interior: *Provided*, That Indian children shall at all times be admitted to such schools on an entire equality with white children.

Proviso. Equality with white children.

CONSERVATION OF HEALTH

Conservation of health. Expenses.

For conservation of health among Indians (except at boarding schools supported from specific appropriations), including equipment, materials, and supplies; repairs and improvements to buildings and plants; compensation and traveling expenses of officers and employees, and renting of quarters for them when necessary; transportation of patients and attendants to and from hospitals and sanatoria; returning to their former homes and interring the remains of deceased patients; not exceeding $2,000 for expenses (not membership fees) of physicians and nurses when officially detailed, in the interest of health work among the Indians, to attend meetings of medical and health associations; and not exceeding $1,000 for circulars and pamphlets for use in preventing and suppressing trachoma and other contagious and infectious diseases, $1,440,000 including not to exceed the sum of $811,000 for the following-named hospitals and sanatoria:

Attendance at meetings.

Suppressing trachoma, etc.

Allotment to specified hospitals and sanitoria.

Arizona.

Arizona: Indian Oasis Hospital, $12,000; Kayenta Tuberculosis Sanatorium, $30,000; Fort Defiance Sanatorium, $13,500; Phoenix Sanatorium, $59,500, including $3,000 for X-ray machine and equipment; Pima Hospital, $17,000; Truxton Canyon Hospital, $7,000; Western Navajo Hospital, $16,500;

California.

California: Hoopa Valley Hospital, $21,000;

Idaho.

Idaho: Fort Lapwai Sanatorium, $71,500; for improvement to water system, $12,000; enlargement of septic tank, repair of heating plant, sewer system, and roads, and purchase of new boilers, $8,000; for dining hall and kitchen, including equipment, $40,000; in all, $131,500; Fort Hall Hospital, $10,000;

Iowa.

Iowa: Sac and Fox Sanatorium, $53,000, including $3,000 for X-ray machine and equipment; for new steel tank and tower, $4,500; for enlarging main building to provide employees' dining room, storage room, and assembly hall, $15,000; in all, $72,500;

Mississippi.

Mississippi: Choctaw Hospital, $12,000;

Montana.

Montana: Blackfeet Hospital, $19,000; Fort Peck Hospital, $20,500, including $1,500 for X-ray machine and equipment;

Nebraska.

Nebraska: Winnebago Hospital, $36,500, including addition for tuberculous patients, and purchase of X-ray machine and equipment;

Nevada: Carson Hospital, $15,500; Pyramid Lake Sanatorium, $28,500, including $3,000 for X-ray machine and equipment; Nevada.

New Mexico: Jicarilla Hospital, $11,000; Jicarilla Sanatorium, $33,000, including $1,500 for X-ray machine and equipment; Laguna Sanatorium, $28,000, including $1,500 for X-ray machine and equipment; Mescalero Hospital, $15,000, including $1,500 for X-ray machine and equipment; New Mexico.

North Dakota: Turtle Mountain Hospital, $12,500; North Dakota.

Oklahoma: Cheyenne and Arapahoe Hospital, $12,500; Choctaw and Chickasaw Hospital, $43,000, including $3,000 for X-ray machine and equipment; Shawnee Sanatorium, $45,000, including $1,500 for X-ray machine and equipment; for relaying sewer line, construction of sewerage disposal, development of water supply, and improvements to grounds, $10,000; for reconstruction of employees' quarters, including heating equipment, $10,000; in all, $65,000; Oklahoma.

South Dakota: Crow Creek Hospital, $9,000; South Dakota.

Washington: Spokane Hospital, $16,500; Yakima Sanatorium, $43,000, including $3,000 for X-ray machine and equipment; Washington.

Provided further, That this appropriation shall be available for construction of hospitals and sanatoria, including equipment, as follows: Fort Defiance Sanatorium, Arizona, $55,000; Soboba Hospital, California, $30,000; Fort Berthold Hospital, North Dakota, $20,000; Claremore Hospital, Oklahoma, $50,000, on condition that the city of Claremore donate to the United States not less than five acres of land for such hospital and agree to deliver without charge medicinal water; in all, $155,000; *Proviso.* Construction authorized at designated hospitals.

For support of hospitals maintained for the benefit of the Chippewa Indians in the State of Minnesota, $78,000, payable from the principal sum on deposit to the credit of said Indians arising under section 7 of the Act of January 14, 1889. Chippewas in Minnesota. Hospitals from tribal funds. 25 Stat., 645; vol. 1, 305.

For the construction and equipment of a hospital at the Rice Indian School, Arizona, $35,000, payable from the tribal funds of the San Carlos Indians. Rice School, Ariz. Hospital construction.

There shall be available for health work among the several tribes of Indians not exceeding $250,000 of the tribal trust funds authorized elsewhere in this Act for support and administration of Indians: *Provided*, That not more than $7,500 of such amount may be expended for new construction in connection with health activities at any one place. Health work. Amount from trust funds available for. *Proviso.* New construction limited.

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, repairs, improvements, and for necessary expense of transporting insane Indians to and from said asylum, $44,500. Canton, S. Dak. Insane asylum expenses.

For the construction and improvement of roads on the Turtle Mountain Indian Reservation, North Dakota, $5,000. Turtle Mountain Reservation, N. Dak. Road improvement.

GENERAL SUPPORT AND ADMINISTRATION

Support and administration.

For general support of Indians and administration of Indian property, including pay of employees, $820,000: *Provided*, That a report shall be made to Congress on the first Monday of December, 1929, by the Superintendent for the Five Civilized Tribes through the Secretary of the Interior showing in detail the expenditure of all moneys from this appropriation on behalf of the said Five Civilized Tribes. Expenses. *Proviso.* Detailed report of Five Civilized Tribes expenditures.

For expenses of the tribal council of the Tongue River Indians, Montana, and of delegates of the council to the city of Washington on tribal business, $1,000, to be immediately available. Tongue River Indians, Mont. Tribal council, etc.

Fulfilling treaties.

Fulfilling treaties with Indians: For the purpose of discharging obligations of the United States under treaties and agreements with various tribes and bands of Indians as follows:

Coeur d'Alenes, Idaho.
26 Stat., 1029; vol. 1, 421.

Coeur d'Alenes, Idaho (Article 11, agreement of March 3, 1891), $3,360;

Bannocks, Idaho.
15 Stat., 696; vol. 2, 1023.

Bannocks, Idaho (Article 10, treaty of July 3, 1868), $6,660;

Crows, Mont.
15 Stat., 652; vol. 2, 1011.

Crows, Montana (Articles 8 and 10, treaty of May 7, 1868), $6,380;

Northern Cheyennes and Arapahoes, Mont.
19 Stat., 256; vol. 1, 170.

Northern Cheyennes and Arapahoes, Montana (Article 7, treaty of May 10, 1868, and agreement of February 28, 1877), $75,000;

Pawnees, Okla.
11 Stat., 731, vol. 1, 498; 27 Stat., 644, vol. 2, 396.

Pawnees, Oklahoma (articles 3 and 4, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), $50,000;

Quapaws, Okla.
7 Stat., 425; vol. 2, 1002.

Quapaws, Oklahoma (article 3, treaty of May 13, 1833), $2,040;

Sioux, different tribes.
15 Stat., 640; vol. 2, 1002; 19 Stat., 256, vol. 1, 168.

Sioux of different tribes, including Santees Sioux of Nebraska, North Dakota, and South Dakota (articles 8 and 13, treaty of April 29, 1868, and Act of February 28, 1877), $365,000;

Utes, Confederated Bands.
15 Stat., 622, vol. 2, 933.

Confederated Bands of Utes (articles 9, 12, and 15, treaty of March 2, 1868), $55,000;

Spokanes, Wash.
27 Stat., 139; vol. 1, 449.

Spokanes, Washington (article 6, agreement of March 18, 1887), $1,320;

Shoshones, Wyo.
15 Stat., 675, 676, vol. 2, 1023.

Shoshones, Wyoming (articles 8 and 10, treaty of July 3, 1868), $7,240;

In all, for treaty stipulations, not to exceed $572,000.

Quapaw Agency.
Administering property of Indians under.
41 Stat., 415; vol. 4, 240.

For expenses incident to the administration of the restricted or trust property of Indians under the Quapaw Indian Agency, $15,000, reimbursable to the United States, as provided in the Act of February 14, 1920 (Forty-first Statutes at Large, page 415).

General support, etc., at specified agencies from tribal funds.

For general support of Indians and administration of Indian property under the jurisdiction of the following agencies, to be paid from the funds held by the United States in trust for the respective tribes, in not to exceed the following sums, respectively:

Arizona.

Arizona: Colorado River, $4,500; Fort Apache, $150,000, of which $3,500 may be used for construction of farmer's quarters at the Carrixo Station, including necessary outbuildings and well, and $5,000 may be used for construction, repairs, and improvements at the agency plant; Fort Mojave, $300; Kaibab, $7,000; Pima, $500; Salt River, $300; San Carlos, $78,000; Truxton Canyon, $30,000; in all $270,600;

California.

California: Mission, $3,200; Round Valley, $5,000; Tule River, $200; in all, $8,400;

Colorado.

Colorado: Consolidated Ute (Southern Ute, $5,000; Ute Mountain, $14,500), $19,500;

Idaho.

Idaho: Coeur d'Alene, $16,000; Fort Hall, $25,000; Fort Lapwai, $14,000; in all, $55,000;

Iowa.

Iowa: Sac and Fox, $1,800;

Kansas.

Kansas: Kickapoo, $1,500; Pottawatomie, $2,800; in all, $4,300;

Michigan.

Michigan: Mackinac, $200;

Minnesota.

Minnesota: Consolidated Chippewa, $1,000; Red Lake, $60,000, payable out of trust funds of Red Lake Indians; in all, $61,000;

Montana.
Proviso.
Hospital services for Flathead Indians, 1921–1926.

Montana: Blackfeet, $2,000; Flathead, $44,000: *Provided*, That the Secretary of the Interior is hereby authorized to pay not exceeding $3,756.20 from said sum, which is hereby made available for the purpose, to the Saint Julian's Hospital, Saint Ignatius, Montana, for medical and hospital services to members of the Flathead Tribe from December 21, 1921, to June 30, 1926; Fort Belknap, $20,000; Fort Peck, $10,000; Tongue River, $15,000; Rocky Boy, $5,000; in all, $96,000;

Nebraska: Omaha, $1,000; Nebraska.

Nevada: Carson (Fort McDermitt, $300; Pyramid Lake, $5,000), $5,300; Walker River (Paiute, $200; Walker River, $200; Summit Lake, $200), $600; Western Shoshone, $15,000; in all, $20,900; Nevada.

New Mexico: Jicarilla, $60,000; Mescalero, $55,000; Navajo, $110,000, to be apportioned among the several Navajo jurisdictions in Arizona and New Mexico; in all, $225,000; New Mexico.

North Dakota: Fort Berthold, $5,000; Standing Rock, $60,000; in all, $65,000; North Dakota.

Oklahoma: Ponca (Otoe, $1,000; Ponca, $2,500; Tonkawa, $700), $4,200; Sac and Fox, $3,000; Kiowa, Comanche, and Apache, $50,000; Cheyennes and Arapahoes, $30,000; in all, $87,200; Oklahoma.

Oregon: Klamath, $164,000, of which $10,000 may be used for construction, repair, and improvement of buildings at the agency plant; Umatilla, $9,800; Warm Springs, $30,000; in all, $203,800; Oregon.

South Dakota: Cheyenne River, $90,000; Pine Ridge, $7,000; Lower Brule, $5,000; Rosebud, $10,000; Yankton, $3,000, which shall be taken from "Interest on Sioux Fund, Yankton" accruing under the Act of March 2, 1889 (25 Stat. L. 895); in all, $115,000; South Dakota.

Utah: Uintah and Ouray, $15,000: *Provided*, That not to exceed $500 of this amount may be used to pay part of the expenses of the State Experimental Farm, located near Fort Duchesne, Utah, within the Uintah and Ouray Indian Reservation; Utah.
Proviso.
State Experimental Farm.

Washington: Colville, $30,000; Neah Bay, $5,000; Puyallup, $3,000; Spokane, $19,000; Taholah (Quinaielt), $11,000; Yakima, $35,000; in all, $103,000; Washington.

Wisconsin: Lac du Flambeau, $1,200; Keshena, $35,000; in all, $36,200; Wisconsin.

Wyoming: Shoshone, $80,000, of which $7,000 shall be immediately available for the installation of a hydroelectric plant and appurtenances, and the wiring of buildings; Wyoming.

In all, not to exceed $1,468,900.

For general support, administration of property, and promotion of self-support among the Chippewa Indians in the State of Minnesota, $62,000, to be paid from the principal sum on deposit to the credit of said Indians, arising under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota," approved January 14, 1889, to be used exclusively for the purposes following: Not exceeding $47,000 of this amount may be expended for general agency purposes; not exceeding $15,000 may be expended in aiding indigent Chippewa Indians upon the condition that any funds used in support of a member of the tribe shall be reimbursed out of and become a lien against any individual property of which such member may now or hereafter become seized or possessed, and the Secretary of the Interior shall annually transmit to Congress at the commencement of each regular session a complete and detailed statement of such expenditures, the two preceding requirements not to apply to any old, infirm, or indigent Indian, in the discretion of the Secretary of the Interior. Chippewas in Minnesota.
General support, administering property, etc.
25 Stat., 645; vol. 1, 305.
Purposes specified.
Aiding indigent Indians.
Condition.

For the expenses of per capita payments to the enrolled members of the Choctaw and Chickasaw Tribes of Indians, $5,000, to be paid from the funds held by the United States in trust for said Indians. Choctaws and Chickasaws.
Per capita payments, expenses.

For the current fiscal year, money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, salaries and contingent expenses of the governor of the Chickasaw Nation Five Civilized Tribes.
Apportionment of allotments for fiscal year.

and chief of the Choctaw Nation and one mining trustee for the Choctaw and Chickasaw Nations at salaries at the rate heretofore paid for the said governor and said chief and $2,000 for the said mining trustee, and the chief of the Creek Nation at a salary not to exceed $600 per annum, and one attorney each for the Choctaw and Chickasaw Tribes employed under contract approved by the President under existing law: *Provided*, That the expenses of any of the above-named officials shall not exceed $2,500 per annum each for chiefs and governor except in the case of tribal attorneys whose expenses shall be determined and limited by the Commissioner of Indian Affairs, not to exceed $4,000 each.

Specified salaries.

Proviso.
Pay restrictions.

Osages, Okla.
Agency expenses from trust funds.

For the support of the Osage Agency, including repairs to buildings, and pay of tribal officers, the tribal attorney and his stenographer, and employees of said agency, $169,000, to be paid from the funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma.

Oil and gas production expenses from tribal funds.

For necessary expenses in connection with oil and gas production on the Osage Reservation, including salaries of employees, rent of quarters for employees, traveling expenses, printing, telegraphing and telephoning, and purchase, repair, and operation of automobiles, $75,000, to be paid from the funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma.

Visits by Tribal Council, etc., to Washington, D. C.

For expenses incurred in connection with visits to Washington, District of Columbia, by the Osage Tribal Council and other members of said tribe, when duly authorized or approved by the Secretary of the Interior, $10,000 to be paid from the funds held by the United States in trust for the Osage Tribe.

Confederated Bands of Utes.
Distribution to, from tribal principal funds.

The sum of $113,000 is hereby appropriated out of the principal funds to the credit of the Confederated Bands of Ute Indians, the sum of $48,000 of said amount for the benefit of the Ute Mountain (formerly Navajo Springs) Band of said Indians in Colorado, and the sum of $35,000 of said amount for the Uintah, White River, and Uncompahgre Bands of Ute Indians in Utah, and the sum of $30,000 of said amount for the Southern Ute Indians in Colorado, which sums shall be charged to said bands, and the Secretary of the Interior is also authorized to withdraw from the Treasury the accrued interest to and including June 30, 1928, on the funds of the said Confederated Bands of Ute Indians appropriated under the Act of March 4, 1913 (Thirty-seventh Statutes at Large, page 934), and to expend or distribute the same for the purpose of administering the property of and promoting self-support among the said Indians, under such regulations as the Secretary of the Interior may prescribe: *Provided*, That none of the funds in this paragraph shall be expended on road construction unless, wherever practicable, preference shall be given to Indians in the employment of labor on all roads constructed from the sums herein appropriated from the funds of the Confederated Bands of Utes.

Self support and administering property, from accrued interest.
37 Stat., 934; vol. 3, 559.

Proviso.
Restriction on road construction.

Roads and bridges.

ROADS AND BRIDGES

Red Lake Reservation, Minn.
Construction, etc., from Chippewa trust funds.

For the construction and repair of roads and bridges on the Red Lake Indian Reservation, including the purchase of material, equipment, and supplies, and the employment of labor, $9,000, to be paid from the funds held by the United States in trust for the Red Lake Band of Chippewa Indians in the State of Minnesota: *Provided*, That Indian labor shall be employed as far as practicable.

Proviso.
Indian labor.

For one-half the cost of construction of a road between Cooley and Whiteriver, on the Fort Apache Indian Reservation, Arizona, as authorized by the Act of April 12, 1924 (Forty-third Statutes at Large, page 93), $100,000, to be immediately available, payable from funds of the Indians of said reservation on deposit to their credit in the Treasury.

Fort Apache Reservation, Ariz.
Half of road construction cost in.
43 Stat., 93; vol. 4, 408.

For the construction of a road on the Leech Lake Reservation, Minnesota, from the Chippewa Sanatorium at Onigum to connect with State Highway Numbered 34, as authorized by the Act of July 3, 1926, $6,000, payable from funds on deposit to the credit of the Chippewa Indians of Minnesota.

Leech Lake Reservation, Minn.
Road from Onigum Sanatorium.

For the repair and maintenance of the road on the Santa Clara Indian Reservation, New Mexico, leading to the Puye Cliff Ruins, $5,000, reimbursable under rules and regulations prescribed by the Secretary of the Interior.

Santa Clara Reservation, N. Mex.
Road to Puye Cliff Ruins.

For improvement and maintenance of the road across the Kaibab Indian Reservation, northern Arizona, en route to Grand Canyon National Park, $10,000: *Provided*, That the provision in the Act of May 18, 1916 (Thirty-ninth Statutes at Large, page 152), making an appropriation of $9,000 for the wagon road across the Kaibab Reservation in the State of Arizona reimbursable from tribal funds of the Indians, is hereby repealed, except as to the sum of $1,500 heretofore reimbursed.

Kaibab Reservation, Ariz.
Road to Grand Canyon Park.
Proviso.
Former authorization repealed.
39 Stat., 152, repealed; vol. 4, 155.

For maintenance and repair of that portion of the Gallup-Shiprock Highway within the Navajo Reservation, New Mexico, $20,000, reimbursable as provided in the Act of June 7, 1924.

Navajo Reservation, N. Mex.
Gallup-Shiprock Highway in.
43 Stat., 606; vol. 4, 454.

ERECTION OF MONUMENTS

Erection of monuments.

The unexpended balance of the appropriation of $25,000 from tribal funds of the Osage Indians, made in the Act of March 3, 1925 (Forty-third Statutes at Large, page 1162), for the erection of a monument as a memorial to Indians of that tribe who gave their lives in the recent war with Germany, is hereby made available for the same purpose until June 30, 1929.

Osages.
Memorial to, who died during World War.
43 Stat., 1162; vol. 4, 503.
Balance available.

For acquiring not to exceed one hundred and sixty acres of land on the site of the battle with the Sioux Indians in which the commands of Major Marcus A. Reno and Major Frederick W. Benteen were engaged, and the erection thereon of a suitable monument and tablet, as authorized by the Act of April 14, 1926, $2,300: *Provided*, That the reservation and monument provided herein shall be maintained by the Quartermaster Corps, United States Army, in conjunction with the Custer Battle Field Monument.

Sioux Indians.
Acquiring land for monument on site of battle of Army with.
44 Stat., 251; vol. 4, 520.
Proviso.
Maintenance.

For the purchase and erection of a monument to Quannah Parker, late chief of the Comanche Indians, as provided by the Act of June 23, 1926, $1,500.

Quannah Parker.
Purchase of monument to.
44 Stat., 762; vol. 4, 560.

ANNUITIES AND PER CAPITA PAYMENTS

Annuities, etc.

For fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831), $6,000.

Senecas, N. Y.
4 Stat., 443.

For fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), $4,500.

Six Nations, N. Y.
7 Stat., 46; vol. 2, 36.

For fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty of June 22, 1855), $3,000; for permanent annuity for support of light

Choctaws, Okla.
7 Stat., 99, 212, 213, 236, vol. 2, 87, 192, 211, 706.

11 Stat., 614; vol. 2, 87, 191, 215, 706, 709.

horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), $600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $320; in all, $10,520.

Saint Croix Chippewas, Wis.
Purchase of land for, etc.
10 Stat., 1109; vol. 2, 648.

To carry out the provisions of the Chippewa treaty of September 30, 1854 (Tenth Statutes at Large, page 1109), $10,000, in part settlement of the amount, $141,000, found due and heretofore approved for the Saint Croix Chippewa Indians of Wisconsin, whose names appear on the final roll prepared by the Secretary of the Interior pursuant to Act of August 1, 1914 (Thirty-eighth Statutes at Large, pages 582 to 605), and contained in House Document Numbered 1663, said sum of $10,000 to be expended in the purchase of land or for the benefit of said Indians by the Commissioner of Indian Affairs: *Provided*, That, in the discretion of the Commissioner of Indian Affairs, the per capita share of any of said Indians under this appropriation may be paid in cash.

38 Stat., 606; vol. 4, 31.

Proviso.
Discretionary cash payment.

Menominees, Wis.
Per capita payment to, from tribal funds.

The Secretary of the Interior is hereby authorized, under such rules and regulations as he may prescribe, to make a $200 per capita payment to the Menominee Indians of Wisconsin from their funds on deposit in the Treasury of the United States, a sufficient amount of which is hereby appropriated for the purpose, to be immediately available.

* * * * * * *

National Park Service.

NATIONAL PARK SERVICE

* * * * * * *

Glacier, Mont.

Glacier National Park, Montana: For administration, protection, and maintenance, including necessary repairs to the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary, including not exceeding $2,900 for the purchase, maintenance, operation, and repair of horse-drawn and motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, including $10,000 for fire prevention, $163,200; for construction of physical improvements, $25,000, including not exceeding $18,500 for the construction of buildings, of which not exceeding $3,000 shall be available for a residence for the chief ranger, $2,200 for a ranger station, $5,000 for a warehouse, and $5,000 for fire caches; in all, $188,200.

* * * * * * *

Roads and trails.
Construction, etc., of, in parks and monuments.

Construction, and so forth, of roads and trails: For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks and monuments under the jurisdiction of the Department of the Interior, including the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary, and the Grand Canyon Highway from the National Old Trails Highway to the south boundary of the Grand Canyon National Park, as authorized by the Act approved June 5, 1924 (Forty-third Statutes, page 423), to be immediately available and remain available until expended, $2,500,000 * * *.

43 Stat., 423.

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BUREAU OF EDUCATION

Education Bureau.

* * * * * * *

WORK IN ALASKA

Alaska.

Education of natives.

Education in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for the education and support of the Eskimos, Aleuts, Indians, and other natives of Alaska, including necessary traveling expenses of pupils to and from industrial boarding schools in Alaska; erection, repair, and rental of school buildings; textbooks and industrial apparatus; pay and necessary traveling expenses of superintendents, teachers, physicians, and other employees; repair, equipment, maintenance, and operation of United States ship Boxer; and all other necessary miscellaneous expenses which are not included under the above special heads, including $273,680 for salaries in the District of Columbia and elsewhere, $15,000 for traveling expenses, $124,620 for equipment, supplies, fuel, and light, $17,500 for repairs of buildings, $4,000 for erection of buildings, $43,400 for freight, including operation of United States ship Boxer, $4,000 for equipment and repairs to United States ship Boxer, $3,000 for rentals, and $1,300 for telephone and telegraph; total, $486,500, to be immediately available: *Provided*, That not to exceed 10 per centum of the amounts appropriated for the various items in this paragraph shall be available interchangeably for expenditures on the objects included in this paragraph, but no more than 10 per centum shall be added to any one item of appropriation except in cases of extraordinary emergency and then only upon the written order of the Secretary of the Interior: *Provided further*, That of said sum not exceeding $7,100 may be expended for personal services in the District of Columbia: *Provided further*, That all expenditures of money appropriated herein for school purposes in Alaska for schools other than those for the education of white children under the jurisdiction of the governor thereof shall be under the supervision and direction of the Commissioner of Education and in conformity with such conditions, rules, and regulations as to conduct and methods of instruction and expenditures of money as may from time to time be recommended by him and approved by the Secretary of the Interior: *Provided further*, That hereafter the Secretary of the Interior, in his administration of the Alaska school service, the Alaska medical service, and the Alaska reeindeer service, is authorized in his discretion to accept lands, buildings, or other property and moneys which may be donated for the purposes of those services.

Specified allotments.

Provisos.
Interchangeable amounts.

Services in the District.

Supervision of expenditures by Commissioner of Education.

Acceptance of donations of lands, etc.

Medical and sanitary relief of natives.

Medical relief in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, with the advice and cooperation of the Public Health Service, to provide for the medical and sanitary relief of the Eskimos, Aleuts, Indians, and other natives of Alaska; erection, purchase, repair, rental, and equipment of hospital buildings; books and surgical apparatus; pay and necessary traveling expenses of physicians, nurses, and other employees, and all other necessary miscellaneous expenses which are not included under the above special heads, $160,000, to be available immediately.

* * * * * * *

Field work appropriations available for work animals, vehicles, etc.

SEC. 2. Appropriations herein made for field work under the General Land Office, the Bureau of Indian Affairs, the Bureau of Reclamation, the Geoelogical Survey, and the National Park Service shall be available for the hire, with or without personal services, of work animals and animal-drawn and motor-propelled vehicles and equipment.

Approved, March 7, 1928.

March 10, 1928.
[H. R. 8293.]
45 Stat., 299.

CHAP. 196.—An Act To amend an Act entitled "An Act for the relief of Indians occupying railroad lands in Arizona, New Mexico, or California," approved March 4, 1913

Railroad grant lands.
Time extended for relinquishing to Indians, in Arizona, New Mexico, and California.
39 Stat., 48; vol. 4, 52.
37 Stat. 1007; vol. 3, 560.
37 Stat., 48, vol. 4, 52.
41 Stat., 9; vol. 4, 200.
42 Stat., 994; vol. 4, 365.
43 Stat. 795; vol. 4, 473.
Proviso.
Applicable only to Indian occupants prior to March 4, 1913.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the provisions of an Act entitled "An Act for the relief of Indians occupying railroad lands in Arizona, New Mexico, or California," approved March 4, 1913, and amended by the Act of April 11, 1916, and the Act of June 30, 1919, be, and the same are hereby, extended to March 4, 1931: *Provided*, That the provisions of this Act shall apply only in cases where it is shown that the lands were actually occupied in good faith by Indians prior to March 4, 1913, and the applicants are otherwise entitled to receive such tracts, in allotment under existing law but for the grant to the railroad company.

Approved, March 10, 1928.

March 13, 1928
[S. 700.]
45 Stat., 312.

CHAP. 219.—An Act Authorizing the Secretary of the Interior to execute an agreement with the Middle Rio Grande Conservancy District providing for conservation, irrigation, drainage, and flood control for the Pueblo Indian lands in the Rio Grande Valley, New Mexico, and for other purposes

Middle Rio Grande Conservancy District.
Agreement with, for irrigation, etc., of Pueblo Indian lands in New Mexico.
44 Stat., 1098.
Post, 632.

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 hereby authorized to enter into an agreement with the Middle Rio Grande Conservancy District, a political subdivision of the State of New Mexico, providing for conservation, irrigation, drainage, and flood control for the Pueblo Indian lands situated within the exterior boundaries of the said Middle Rio Grande Conservancy District, as provided for by plans prepared for this purpose in pursuance to an Act of February 14, 1927 (Forty-fourth Statutes at Large, page 1098). The construction cost of such conservation, irrigation, drainage, and flood-control work apportioned to the Indian lands shall not exceed $1,593,311, and said sum, or so much thereof as may be required to pay the Indians' share of the cost of the work herein provided for, shall be payable in not less than five installments without interest,

Indians' share of construction costs payable in installments.

which installments shall be paid annually as work progresses: *Provided*, That should at any time it appear to the said Secretary that construction work is not being carried out in accordance with plans approved by him, he shall withhold payment of any sums that may under the agreement be due the conservancy district until such work shall have been done in accordance with the said plans: *Provided further*, That in determining the share of the cost of the works to be apportioned to the Indian lands there shall be taken into consideration only the Indian acreage benefited which shall be definitely determined by said Secretary and such acreage shall include only lands feasibly susceptible of economic irrigation and cultivation, and materially benefited by this work, and in no event shall the average per acre cost for the area of Indian lands benefited exceed $67.50: *Provided further*, That all present water rights now appurtenant to the approximately eight thousand three hundred and forty-six acres of irrigated Pueblo lands owned individually or as pueblos under the proposed plans of the district, and all water for the domestic purposes of the Indians and

Provisos.
Payment withheld if work not approved.

Apportionment of cost of work to lands.

Protection of present water rights, domestic supply, etc.

for their stock shall be prior and paramount to any rights of the district or of any property holder therein, which priority so defined shall be recognized and protected in the agreement between the Secretary of the Interior and the said Middle Rio Grande Conservancy District, and the water rights for the newly reclaimed lands shall be recognized as equal to those of like district lands and be protected from discrimination in the division and use of water, and such water rights, old as well as new, shall not be subject to loss by nonuse or abandonment thereof so long as title to said lands shall remain in the Indians individually or as pueblos or in the United States, and such irrigated area of approximately 8,346 acres shall not be subject by the district or otherwise to any pro rata share of the cost of future operation and maintenance or betterment work performed by the district. The share of the cost paid the district on behalf of the Indian lands under the agreement herein authorized, including any sum paid to the district from the funds authorized to be appropriated by the Act of February 14, 1927 (Forty-fourth Statutes at Large, page 1098), shall be reimbursed to the United States under such rules and regulations as may be prescribed by the Secretary of the Interior: *Provided*, That such reimbursement shall be made only from the proceeds of leases of the newly reclaimed pueblo lands whether leased by Indians or others, Indians, however, to be given the preference in the making of such leases, and the proceeds of such leases to be applied, first, to the reimbursement of the cost of the works apportioned to said irrigated area of approximately 8,346 acres: *Provided further*, That as to not to exceed 4,000 acres of such newly reclaimed lands if cultivated by Indians no rentals shall be charged the Indians: *Provided further*, That there is hereby created against the newly reclaimed lands a first lien for the amount of the cost of the works apportioned to such newly reclaimed lands which lien shall not be enforced during the period that the title to such lands remains in the pueblo or individual Indian ownership: *Provided further*, That said Secretary of the Interior, through the Commissioner of Indian Affairs, or his duly authorized agent, shall be recognized by said district in all matters pertaining to its operation in the same ratio that the Indian lands bear to the total area of lands within the district, and that the district books and records shall be available at all times for inspection by said representative.

Recognition of water rights on newly reclaimed land.

Area not subject to cost of future operation, etc.

Reimbursement of share of cost from Indian funds.

44 Stat., 1098.
Post, 632.

From leases of newly reclaimed pueblo lands.

No rentals if cultivated by Indians.

Lien for cost of work, not enforced against pueblo lands or on Indian ownership.

Recognition of authority of Secretary of Interior.

Approved, March 13, 1928.

CHAP. 222.—An Act Providing for a per capita payment of $25 to each enrolled member of the Chippewa Tribe of Minnesota from the funds standing to their credit in the Treasury of the United States

March 15, 1928.
[S. 2342.]
45 Stat., 314.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to withdraw from the Treasury of the United States so much as may be necessary of the principal fund on deposit to the credit of the Chippewa Indians in the State of Minnesota, arising under section 7 of the Act of January 14, 1889 (Twenty-fifth Statutes at Large, page 642), entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota," and to make therefrom a per capita payment or distribution of $25 to each of the enrolled Chippewa Indians of Minnesota, under such rules and regulations as the said Secretary may

Chippewa Indians, Minn.
Per capita payment to, from principal fund.
25 Stat., 645; vol. 1, 305.

Provisos.
Acceptance by Indians.
Not subject to any lien, etc.

prescribe: *Provided*, That before any payment is made hereunder the Chippewa Indians of Minnesota shall, in such manner as may be prescribed by the Secretary of the Interior, ratify the provisions of this Act and accept same: *Provided further*, That the money paid to the Indians as authorized herein shall not be subject to any lien or claim of attorneys or other parties.

Approved, March 15, 1928.

March 26, 1928.
[S. 1478.]
45 Stat., 366.

CHAP. 246.—An Act To authorize an appropriation for the construction of a road on the Lummi Indian Reservation, Washington

Lummi Indian Reservation, Wash.
Appropriation authorized for completing road across.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That not to exceed the sum of $20,000 is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the completion and graveling of the road which has been partially constructed by Whatcom County across Lummi Indian Reservation, in the State of Washington, to be expended under such rules and regulations as the Secretary of the Interior may prescribe: *Provided*, That the proper authorities of the State of Washington or the county of Whatcom shall agree in writing to maintain such road free of expense to the United States.

Proviso.
Maintenance by State, etc.

Approved, March 26, 1928.

March 26, 1928.
[S. 2279.]
45 Stat., 366.

CHAP. 247.—An Act Authorizing the Secretary of the Interior to purchase certain lands in the city of Bismarck, Burleigh County, North Dakota, for Indian school purposes

Bismarck Indian school, N. Dak.
Purchase of land for.

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 hereby authorized and directed to purchase for the Bismarck (North Dakota) Indian school, from the Dakota Corporation, Bismarck, North Dakota, or its successors in interest, certain adjoining tracts of land within the limits of the city of Bismarck, Burleigh County, North Dakota, described as follows: The southeast quarter of the southeast quarter, containing forty acres; part of the southwest quarter of the southeast quarter, containing twenty-three acres more or less; and part of the northwest quarter of the southeast quarter, containing thirty acres more or less, all in section 5, township 138 north, range 80 west of the fifth principal meridian, containing ninety-three acres more or less, subject to survey. The purchase price shall not exceed $120 an acre and the lands shall be warranted free of all encumbrances.

Description.

Price limit, etc.

Appropriation authorized.

SEC. 2. There is hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

Approved, March 26, 1928.

March 27, 1928.
[H. R. 356.]
45 Stat., 371.

CHAP. 253.—An Act To amend section 2 of the Act of March 3, 1905, entitled "An Act to ratify and amend an agreement with the Indians residing on the Shoshone or Wind River Indian Reservation, in the State of Wyoming, and to make appropriations to carry the same into effect"

Shoshone Indian Reservation, Wyo.
Mining entries on ceded lands of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of chapter 1452 of the Statutes of the Fifty-eighth Congress (Thirty-

third Statutes at Large, page 1021), being "An Act to ratify and amend an agreement with the Indians on the Shoshone or Wind River Indian Reservation, in the State of Wyoming, and to make appropriations to carry the same into effect," as amended by Joint Resolution Numbered 12 of the Fifty-ninth Congress (Thirty-fourth Statutes at Large, page 825) and chapter 197 of the Statutes of the Sixtieth Congress (Thirty-fifth Statutes at Large, page 650), be, and the same is hereby, amended to read as follows:

33 Stat., 1021, amended; vol. 3, 118. 34 Stat., 825; vol. 3, 262. 35 Stat., 650; vol. 3, 337.

"That the time for making entry and payment for mineral lands located under the Act of March 3, 1905, shall be extended for the period of ten years from July 1, 1927, and any right, title, or interest in any such mineral lands acquired heretofore under the provisions of the said Act of March 3, 1905; and the mineral land and mining laws and regulations of the United States, and not perfected by entry and payment, but subsisting in full force and effect in so far as compliance with the requirements of the said mineral land and mining laws and regulations are concerned, shall, notwithstanding the fact that five years may have elapsed since the location of any claim, continue in full force and effect, without any diminution whatsoever of the right, title, or interest on account of failure to make entry and payment within five years from the date of the location of such claim: *Provided*, That the extension of time hereby granted shall not apply to mineral lands of coal, oil, and gas: *And provided further*, That this Act shall not be construed as reviving any placer mineral location which has lost its validity because of failure to comply with the Federal and State laws."

Time extended for completing entries for mineral lands.

Continuance of claims.

Provisos.
Not applicable to coal, oil, and gas.

Placer locations.

Approved, March 27, 1928.

CHAP. 255.—An Act To provide for the protection of the watershed within the Carson National Forest from which water is obtained for the Taos Pueblo, New Mexico

March 27, 1928.
[H. R. 8824.]
45 Stat., 372.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon recommendation of the Secretary of the Interior, the President of the United States be, and he is hereby, authorized to withdraw by Executive order or proclamation, from any or all forms of entry or appropriation under the land laws of the United States, any lands of the United States within the watershed of the Rio Pueblo de Taos, Carson National Forest, New Mexico, from which the Indians of the Taos Pueblo obtain water for irrigation and domestic purposes: *Provided*, That the Secretary of Agriculture may, in his discretion, promulgate regulations to govern the use and occupancy of lands withdrawn under the provisions hereof, and to protect said lands from any act or condition which would impair the purity or volume of the water flowing therefrom.

Public lands.
Withdrawal directed of lands within watershed of Rio Pueblo de Taos, N. Mex.

Proviso.
Regulations for use of lands, etc., to be promulgated.

Approved, March 27, 1928.

CHAP. 267.—An Act To provide for the construction of a hospital at the Fort Bidwell Indian School, California

March 28, 1928.
[H. R. 8542.]
45 Stat., 375.

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 and directed to cause to be erected a building upon Government property at Fort Bidwell, California, to be used for a hospital for the Indians.

Fort Bidwell Indian School, Calif.
Hospital building to be erected for.

Amount authorized for construction.

SEC. 2. For the purpose of erecting such building there is authorized to be appropriated the sum of $30,000 or so much thereof as may be necessary to carry out the provisions of this Act.

Approved, March 28, 1928.

March 28, 1928.
[H. R. 8543.]
45 Stat., 375.

CHAP. 268.—An Act To provide for the construction of a school building at the Fort Bidwell Indian School, California

Fort Bidwell Indian School, Calif.
School building to be erected for.

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 and directed to cause to be erected a school building upon Government property, Fort Bidwell, California, to be used for the education of Indian children.

Amount authorized for constructing.

SEC. 2. For the purpose of erecting such building there is authorized to be appropriated the sum of not more than $30,000 to carry out the provisions of this Act.

Approved, March 28, 1928.

March 28, 1928.
[H. R. 308.]
45 Stat., 377.

CHAP. 271.—An Act Authorizing an appropriation for the survey and investigation of the placing of water on the Michaud division and other lands in the Fort Hall Indian Reservation

Fort Hall Indian Reservation, Idaho.
Sum authorized for surveys, etc., as to feasibility, etc., of irrigating Michaud division, etc., of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $25,000 for surveys and investigation to determine the feasibility and cost of irrigating the Michaud division and other lands on the Fort Hall Indian Reservation: *Provided*, That said sum, or any part thereof that may be expended for this work, shall be reimbursable when this or any other division of the project for which surveys shall be made hereunder is adopted for construction under such rules and regulations as may be prescribed by the Secretary of the Interior, and there is hereby created a first lien against all such lands that may be brought within said division or divisions of the Fort Hall project, which lien shall attach to all lands benefited from the date of the adoption of the particular unit of the project under which such lands lie for construction, and said lien shall include all expenditures made therefor and shall be recited in any patent issued after the adoption of any such unit of the project for construction.

Proviso.
Reimbursement if project adopted, etc.

Lien on benefited lands.

Approved, March 28, 1928.

March 28, 1928.
[H. R. 173.]
45 Stat., 378.

CHAP. 272.—An Act To provide funds for the upkeep of the Puyallup Indian Cemetery at Tacoma, Washington

Puyallup Indians, Wash.
Trust fund set aside for upkeep of Indian Cemetery, in Tacoma, Wash.
27 Stat., 633, vol. 1, 487.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to set aside on the books of his office under an appropriate designation the sum of $25,000 from the tribal funds of the Puyallup Indians accruing under the Act of March 3, 1893 (Twenty-seventh Statutes at Large, page 633), as a permanent trust fund at 4 per centum interest, to be credited semiannually and used only for the upkeep of the Puyallup Indian Cemetery in the city of Tacoma, Washington, under the direction of and in conformity with rules and regulations prescribed by the Secretary of the Interior, upon appropriations.

Approved, March 28, 1928.

CHAP. 278.—An Act For the relief of the Arapahoe and Cheyenne Indians, and for other purposes

March 29, 1928.
[S. 3343.]
45 Stat., 380.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 667 of volume 44 of the Statutes at Large (Forty-fourth Statutes at Large, page 764), be, and it hereby is, amended to read as follows:

Arapahoe and Cheyenne Indians, Wyo., etc.
44 Stat., 764, amended, vol. 4, 270.

"That the time within which suit or suits may be filed under the terms of the Act of Congress of June 3, 1920 (Forty-first Statutes at Large, page 738), is hereby extended for the term of one year from the date of the approval of this Act for the purpose only of permitting the Arapahoe and Cheyenne Tribes of Indians residing in the States of Wyoming, Montana, and Oklahoma, to file a separate petition or suit in the Court of Claims for the determination of any claim or claims of said tribes of Indians to the whole or any part of the subject matter of any pending suit, or to file other suits hereafter under the terms of said Act; and the court is hereby authorized to render final judgment in such suits: *Provided*, That unless such petition be filed in the suit or suits authorized by said Act within the time herein stated all right of intervention by the Arapahoe and Cheyenne Tribes of Indians therein shall be forever barred."

Time extended for filing separate suits by, in Court of Claims.

Authority of court.
Proviso.
Rights barred if suit not brought in stated time.

Approved, March 29, 1928.

CHAP. 279.—An Act To authorize the cancellation of the balance due on a reimbursable agreement for the sale of cattle to certain Rosebud Indians

March 29, 1928.
[S. 3355.]
45 Stat., 380.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That with the consent of the tribal council the Secretary of the Interior is hereby authorized to cancel the unpaid balance of $12,204.46 due on reimbursable agreement numbered 281, signed by seventeen Rosebud Indians for cattle purchased from tribal funds appropriated by the Act of June 30, 1919 (Forty-first Statutes at Large, page 26).

Rosebud Agency Indians.
Balance due for cattle purchased for, to be canceled.
41 Stat., 26; vol. 4, 199.

Approved, March 29, 1928.

CHAP. 305.—An Act To amend the Act of April 25, 1922, as amended, entitled "An Act authorizing extensions of time for the payment of purchase money due under certain homestead entries and Government-land purchases within the former Cheyenne River and Standing Rock Indian Reservation, North Datkota and South Dakota"

March 31, 1928.
[H. R. 9860.]
45 Stat., 400.

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 authorizing extensions of time for the payment of purchase money due under certain homestead entries and Government-land purchases within the former Cheyenne River and Standing Rock Indian Reservations, North Dakota and South Dakota," approved April 25, 1922, be amended so as to read as follows:

Cheyenne River and Standing Rock Indian Reservations, N. Dak. and S. Dak.
42 Stat., 499; vol. 4, 336.

"That any homestead entryman or purchaser of Government lands within the former Cheyenee River and Standing Rock Indian Reservations in North Dakota and South Dakota who is unable to make payment of purchase money due under his entry or contract of purchase as required by existing law or regulations, on application duly verified showing that he is unable to make payment as required, shall be granted an extension of time for payment of one-fourth the amount, including principal and interest, due and unpaid on his entry or purchase until the 1st day of December, 1928; the remainder to be paid in three equal annual installments falling due on December

Further extension of time allowed for payments on lands in former.
43 Stat., 1184, amended; vol. 4, 336.

1, 1929, December 1, 1930, and December 1, 1931; all such amounts to bear interest at the rate of 5 per centum per annum until the payment dates: *Provided*, That upon failure to make complete payment of any installment the entry shall be canceled and the money paid forfeited."

Proviso.
Entry canceled if complete payment not made.

Approved, March 31, 1928.

April 2, 1928.
[H. R. 8326.]
45 Stat., 401.

CHAP. 307.—An Act To authorize the construction of a dormitory at Riverside Indian School at Anadarko, Oklahoma

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 of the United States be, and he is hereby, authorized, empowered, and directed to cause to be erected and constructed upon land now owned by the United States at the Kiowa Indian Agency near Anadarko, Oklahoma, at the Riverside Indian School, a building such as he may determine is necessary for a boys' dormitory at said Riverside Indian School, at a cost not to exceed the sum of $40,000, which sum is hereby authorized to be appropriated.

Riverside Indian School, Okla.
Boys' dormitory building authorized at.

Limit of cost.

Approved, April 2, 1928.

April 2, 1928.
[S. 716.]
45 Stat., 401.

CHAP. 308.—An Act To exempt American Indians born in Canada from the operation of the Immigration Act of 1924

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Immigration Act of 1924 shall not be construed to apply to the right of American Indians born in Canada to pass the borders of the United States: *Provided*, That this right shall not extend to persons whose membership in Indian tribes or families is created by adoption.

Immigration Act, 1924.
American Indians born in Canada exempt from restrictions of.
Proviso.
Adopted members excepted.

Approved, April 2, 1928.

April 2, 1928.
[H. J. Res. 245.]
45 Stat., 401.

CHAP. 310.—Joint Resolution To make immediately available the appropriation for a road across the Kaibab Indian Reservation

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the appropriation of $10,000 for the improvement and maintenance of the road across the Kaibab Indian Reservation, northern Arizona, en route to Grand Canyon National Park, as contained in the Interior Department Appropriation Act for the fiscal year 1929, approved March 7, 1928, shall be available for expenditure upon the approval of this resolution.

Kaibab Indian Reservation, Ariz.
Appropriation for road across to Grand Canyon Park immediately available.
Ante, 31.

Approved, April 2, 1928.

April 10, 1928.
[H. R. 5495.]
45 Stat., 413.

CHAP. 335.—An Act To provide for cooperation by the Smithsonian Institution with State, educational, and scientific organizations in the United States for continuing ethnological researches on the American Indians

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Smithsonian Institution is hereby authorized to cooperate with any State, educational institution, or scientific organization in the United States for continuing ethnological researches among the American Indians and the excavation and preservation of archæological remains.

American Indians.
Cooperation by Smithsonian Institution in ethnological researches among.

Amount authorized for expenses.

SEC. 2. That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $20,000, which shall be available until expended for the above purposes: *Provided*, That at such time as the Smithsonian Institution is satisfied that any State, educational institution, or scientific organization in any of the United States is prepared to contribute to such investigation and when in its judgment such investigation shall appear meritorious, the Secretary of the Smithsonian Institution may direct that an amount from this sum equal to that contributed by such State, educational institution, or scientific organization, not to exceed $2,000, to be expended from such sum in any one State during any calendar year, be made available for cooperative investigation: *Provided further*, That all such cooperative work and division of the result thereof shall be under the direction of the Secretary of the Smithsonian Institution: *Provided further*, That where lands are involved which are under the jurisdiction of the Bureau of Indian Affairs or the National Park Service, cooperative work thereon shall be under such regulations and conditions as the Secretary of the Interior may provide.

Provisos.
Allowances to States, etc., contributing to investigations.

Control of work.

Regulations for work on lands of Indians.

Approved, April 10, 1928.

CHAP. 357.—An Act Amending an Act entitled "An Act authorizing the Chippewa Indians of Minnesota to submit claims to the Court of Claims."[1]

April 11, 1928.
[H. R. 7463.]
45 Stat., 423.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Act entitled "An Act authorizing the Chippewa Indians of Minnesota to submit claims to the Court of Claims," approved May 14, 1926 (Forty-fourth Statutes at Large, page 555), be, and the same is hereby, amended to read as follows:

Chippewa Indians of Minnesota.
Claims of, for relinquished lands.
44 Stat., 555, amended; vol. 4, 546.

"SEC. 8. All actual and necessary expenses incurred by the attorney or attorneys so employed to represent the Chippewa Indians of Minnesota, including court costs, bills for printing required by law or court rules, the cruising and examination of lands and timber, the auditing and tabulation of accounts, travel and subsistence of said attorneys and their employees while engaged solely in the preparation or prosecution of said suit or suits, securing and taking evidence deemed material therein, the compensation of stenographers, and such clerical assistance as shall be reasonably employed solely upon work in connection therewith, fees or commissions of notaries public or commissioners, and any other expense reasonably necessary for the preparation for trial or prosecution of any such suit or suits, shall be paid by the Secretary of the Interior from time to time, as they accrue, out of the funds standing to the credit of said Indians in the Treasury of the United States upon verified accounts submitted in such form as may be required by the Secretary of the Interior: *Provided*, That no payment shall be allowed hereunder for expense incurred for compensation to other attorneys for rendering service as attorneys in assisting in said suits, nor for any item of so-called overhead, office, or other expense not solely and exclusively incurred for or on account of such suit or suits: *And provided further*, That before the attorneys are authorized to incur any expense in excess of $200 for any purpose they shall first secure the approval of the Commissioner of Indian Affairs and the Secretary of the Interior."

Expenses of attorneys in preparation of cases, payable from funds of Indians.

Provisos.
Restriction on expenses, etc.

Expenses incurred subject to approval of Commissioner of Indian Affairs.

Approved, April 11, 1928.

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[1] 80 Ct. Cls., 410; 87 Ct. Cls., 1; 88 Ct. Cls., 1; 307 U. S., 5.

April 14, 1928.
[S. 3435.]
45 Stat., 429.

CHAP. 374.—An Act To authorize an appropriation from tribal funds to pay part of the cost of the construction of a road on the Crow Indian Reservation, Montana

Crow Indian Reservation, Mont.
Amount authorized for paying part of cost of road on.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an appropriation is hereby authorized in the sum of $7,500 from the tribal funds on deposit in the United States Treasury to the credit of the Indians of the Crow Reservation in the State of Montana to pay part of the cost of the construction of a road on said reservation between the towns of Hardin and Saint Xavier, a distance of about twenty-two miles under such rules and regulations as may be prescribed by the Secretary of the Interior: *Provided*, That before any money is expended hereunder the county of Big Horn or the State of Montana shall first set aside $15,000 to pay the remainder of the cost of said road.

Proviso.
Subject to payment of remainder by county or State.

Approved, April 14, 1928.

April 21, 1928.
[H. R. 9488.]
45 Stat. 442.

CHAP. 400.—An Act To provide for the acquisition of rights of way through the lands of the Pueblo Indians of New Mexico

Pueblo Indian lands, N. Mex.
Rights of way through, may be acquired under laws in force.
U. S. Code, pp. 709-711, 1395.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the Statutes of the United States governing the acquisition of rights of way through Indian lands, to wit, the Code of Laws of the United States of America, in force December 6, 1926, title 25, Indians, sections 311, 312, 313, 314, 315, 317, 318, 319, and 321 and title 43, Public Lands, section 935, and the basic Acts of Congress cited in such sections, be, and they are hereby, extended over and made applicable to the Pueblo Indians of New Mexico and their lands, under such rules, regulations, and conditions as the Secretary of the Interior may prescribe.

Approved, April 21, 1928.

April 23, 1928.
[H. R. 431.]
45 Stat. 447.

CHAP. 410.—An Act To authorize the payment of certain taxes to Okanogan County, in the State of Washington, and for other purposes

Okanogan County, Wash.
Payment authorized of taxes on trust allotted Colville Indian lands in.
27 Stat., 63; vol. 1, 441.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to pay to Okanogan County, in the State of Washington, as taxes claimed by said county under section 2 of the Act of July 1, 1892, relating to the payment of local taxes on allotted Colville Indian lands, the sum of $77,435.31: *Provided*, That there may be deducted from said amount by the Secretary of the Interior such sum or sums as he may find to have been paid to said county for Indian tuition; also the excess, if any, where the rate based on the value of Indian allotments may be found to be in excess of the rate on taxable land.

Proviso.
Deductions.

Amount authorized to be appropriated.

SEC. 2. That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, $77,435.31, or so much thereof as may be necessary, for the payment of said sum to said county, as provided in the foregoing section: *Provided*, That the payment of such authorized appropriation to the said Okanogan County, in the State of Washington, shall be in full settlement of all claims arising under and at any time after the passage of the Act of July 1, 1892 (Twenty-seventh Statutes, pages 62, 63).

Proviso.
Payment a full settlement of all claims.

Approved, April 23, 1928.

CHAP. 452.—An Act To authorize a per capita payment to the Shoshone and Arapahoe Indians of Wyoming from funds held in trust for them by the United States

April 28, 1928.
[S. 3366.]
45 Stat., 467.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to withdraw from the Treasury of the United States so much of the money credited to the Shoshone and Arapahoe Indians of Wyoming under the Act of August 21, 1916 (Thirty-ninth Statutes, page 519), as may be necessary to make a $25 per capita payment to said Indians, and to pay or distribute the same to all recognized members of the tribes under such rules and regulations as may be prescribed.

Shoshone and Arapahoe Indians, Wyo.
Per capita payment to, from trust funds.

39 Stat. 519; vol. 4, 93.

Approved, April 28, 1928.

CHAP. 481.—An Act To amend an Act to allot lands to children on the Crow Reservation, Montana

May 2, 1928.
[H. R. 11478.]
45 Stat. 482.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of an Act entitled "An Act to allot lands to living children on the Crow Reservation, Montana," approved May 19, 1926 (Forty-fourth Statutes at Large, page 566), is hereby amended to read as follows:

Crow Indians, Mont.
44 Stat. 566, amended; vol. 4, 549.

"That the Secretary of the Interior is hereby authorized to allot lands in severalty to children of the Crow Tribe, now living, not heretofore allotted, from any suitable lands belonging to the tribe now available for allotments or which may become available, including any Crow lands heretofore opened to entry and sale, and to allot land to children hereafter born so long as there are lands of said tribe available for allotment purposes: *Provided*, That the areas allotted shall be as authorized by the General Allotment Act of February 8, 1887 (Twenty-fourth Statutes at Large, page 388), as amended." [1]

Allotments to living children of.

Children hereafter born.

Proviso.
Areas of allotments.
24 Stat. 388; vol. 1, 33.

Approved, May 2, 1928.

CHAP. 487.—An Act Authorizing and directing the Secretary of the Interior to investigate, hear, and determine the claims of individual members of the Sioux Tribe of Indians against tribal funds or against the United States

May 3, 1928
[H. R. 6862.]
45 Stat., 484.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to investigate, hear, and determine the claims of the individual Indians whose names are enrolled on the approved rolls of the following Indian agencies: Rosebud, Pine Ridge, Lower Brule, Crow Creek, Cheyenne River, Yankton, Sisseton, and Flandreaux, in the State of South Dakota; Fort Peck, in the State of Montana; Fort Totten, in the State of North Dakota; Standing Rock, in the States of North and South Dakota; and Santee, in the State of Nebraska: *Provided*, That the Secretary of the Interior is authorized to make all rules and regulations necessary to carry out the provisions of this Act: *Provided further*, That the claims which shall be investigated under this Act shall be individual claims for allotments of land and for loss of personal property or improvements where the claimants or those through whom the claims originated were not members of any band of

Sioux Indians.

Investigation, etc., of claims of enrolled individual, against tribal funds, etc.

Provisos.
Regulations to be made.

Nature of claims.

[1] 53 I. D. D., 552.

Adjustment, etc., of meritorious claims.

Indians engaged in hostilities against the United States at the time the losses occurred. If any such claims shall be considered meritorious, the Secretary of the Interior shall adjust same where there is existing law to authorize their adjustment, and such other meritorious claims he shall report to Congress with appropriate recommendation.

Approved, May 3, 1928.

May 7, 1928.
[H. R. 8132.]
45 Stat., 492.

CHAP. 506.—An Act Authorizing the appropriation of $2,500 for the erection of a tablet or marker at Medicine Lodge, Kansas, to commemorate the holding of the Indian peace council, at which treaties were made with the Plains Indians in October, 1867

Medicine Lodge, Kans.
Amount authorized for tablet to commemorate Indian peace council there in 1867.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of $2,500 is hereby authorized to be appropriated to be expended, under the direction of the Secretary of the Interior, in the erection of a tablet or marker at Medicine Lodge, Kansas, to commemorate the holding at Medicine Lodge, Kansas, of the Indian peace council, at which treaties were made between the United States and the Kiowa, Comanche, Apache, Cheyenne, and Arapahoe Indians in October, 1867.

Approved, May 7, 1928.

May 8, 1928.
[H. R. 11629.]
45 Stat., 493.

CHAP. 510.—An Act To amend the proviso of the Act approved August 24, 1912, with reference to educational leave to employees of the Indian Service

Indian Service.
37 Stat., 519, vol. 3, 530.
U. S. Code, p. 706, 42 Stat., 829, amended, vol. 4, 362.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso of the Act approved August 24, 1912 (Thirty-seventh Statutes at Large, page 519, United States Code, title 25, section 275), as amended by the Act approved August 24, 1922 (Forty-second Statutes at Large, page 829, United States Code, title 25, section 275), be, and the same is hereby, amended so that the proviso shall read: "*Provided*, That hereafter teachers of the Indian schools and physicians of the Indian Service may be allowed, in addition to annual leave, educational leave not to exceed thirty days per calendar year, or sixty days in every alternate year, for attendance at educational gatherings, conventions, institutions, or training schools, if the interest of the service require, and under such regulations as the Secretary of the Interior may prescribe, and no additional salary or expense on account of this leave of absence shall be incurred."

Indian schools.
Teachers, and physicians allowed additional educational leaves of absence.

Approved, May 8, 1928.

May 10, 1928.
[S. 3594.]
45 Stat., 495.

CHAP. 517.—An Act To extend the period of restriction in lands of certain members of the Five Civilized Tribes, and for other purposes[1]

Five Civilized Tribes, Okla.
Restriction on allotments to members of one-half or more Indian blood further extended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the restrictions against the alienation, lease, mortgage, or other encumbrance of the lands allotted to members of the Five Civilized Tribes in Oklahoma, enrolled as of one-half or more Indian blood, be, and they are hereby, extended for an additional period of twenty-five years commencing on April 26, 1931: *Provided*, That the Secretary of the Interior shall have the authority to remove the restrictions, upon the applications of the Indian owners of the land, and may remove such restrictions, wholly or in part, under such rules and regulations concerning terms

Proviso.
Removal authorized upon application of owners of land.

[1] 280 U. S., 363; 64 Fed. (2) 979; 53 I. D. D., 157.

of sale and disposal of the proceeds for the benefit of the respective Indians as he may prescribe.

Provisions for removing restrictions on death of allottees continued 25 years from April 26, 1931.
44 Stat., 239, vol. 4, 518.

SEC. 2. That the provisions of section 9 of the Act of May 27, 1908 (Thirty-fifth Statutes at Large, page 312), entitled "An Act for the removal of restrictions from part of the lands of allottees of the Five Civilized Tribes, and for other purposes," as amended by section 1 of the Act of April 12, 1926 (Forty-fourth Statutes at Large, page 239), entitled "An Act to amend section 9 of the Act of May 27, 1908 (Thirty-fifth Statutes at Large, page 312), and for putting in force, in reference to suits involving Indian titles, the statutes of limitations of the State of Oklahoma, and providing for the United States to join in certain actions, and for making judgments binding on all parties, and for other purposes," be, and are hereby, extended and continued in force for a period of twenty-five years from and including April 26, 1931, except, however, the provisions thereof which read as follows:

Provision for homesteads of decedent allottees repealed.
44 Stat., 239, repealed, vol. 4, 518.

"*Provided further*, That if any member of the Five Civilized Tribes of one-half or more Indian blood shall die leaving issue surviving, born since March 4, 1906, the homestead of such deceased allottee shall remain inalienable, unless restrictions against alienation are removed therefrom by the Secretary of the Interior for the use and support of such issue, during their life or lives, until April 26, 1931; but if no such issue survive, then such allottee, if an adult, may dispose of his homestead by will free from restrictions; if this be not done, or in the event the issue hereinabove provided for die before April 26, 1931, the lands shall then descend to the heirs, according to the laws of descent and distribution of the State of Oklahoma, free from all restrictions: *Provided*, That the word "issue," as used in this section, shall be construed to mean child or children: *Provided further*, That the provisions of section 23 of the Act of April 26, 1906, as amended by this Act, are hereby made applicable to all wills executed under this section:"

Effective, April 26, 1931.
Proviso.
Provisions for disposal of property by wills continued until April 26, 1956.
34 Stat., 145, vol. 3, 178.
35 Stat., 315, vol. 3, 178.
44 Stat., 240, vol. 3, 354.

which quoted provisions be, and the same are, repealed, effective April 26, 1931: *Provided further*, That the provisions of section 23 of the Act of Congress approved April 26, 1906 (Thirty-fourth Statutes at Large, page 137), as amended by the provisions of section 8 of the Act of Congress approved May 27, 1908 (Thirty-fifth Statutes at Large, page 312), be, and the same are hereby, continued in force and effect until April 26, 1956.

Minerals produced from restricted lands subject to taxation after April 26, 1931.

SEC. 3. That all minerals, including oil and gas, produced on or after April 26, 1931, from restricted allotted lands of members of the Five Civilized Tribes in Oklahoma, or from inherited restricted lands of full-blood Indian heirs or devisees of such lands, shall be subject to all State and Federal taxes of every kind and character the same as those produced from lands owned by other citizens of the State of Oklahoma; and the Secretary of the Interior is hereby authorized and directed to cause to be paid, from individual Indian funds held under his supervision and control and belonging to the Indian owners of the lands, the tax or taxes so assessed against the royalty interest of the respective Indian owners in such oil, gas, and other mineral production.[2]

Payment from funds of individual Indian owners.

Restricted lands in excess of 160 acres subject to State taxation after April 26, 1931.

SEC. 4. That on and after April 26, 1931, the allotted, inherited, and devised restricted lands of each Indian of the Five Civilized Tribes in excess of one hundred and sixty acres shall be subject to taxation by the State of Oklahoma under and in accordance with the laws of that State, and in all respects as unrestricted and other

[2] 53 I. D. D. 502, 607; 637.

Provisos.
Selection to be made by owner of exempted tracts.

lands: *Provided*, That the Indian owner of restricted land, if an adult and not legally incompetent, shall select from his restricted land a tract or tracts, not exceeding in the aggregate one hundred and sixty acres, to remain exempt from taxation and shall file with the superintendent for the Five Civilized Tribes a certificate designating and describing the tract or tracts so selected: *And provided further*, That in cases where such Indian fails, within two years from date hereof, to file such certificate, and in cases where the Indian owner is a minor or otherwise legally incompetent, the selection shall be made and certificate prepared by the superintendent for the Five Civilized Tribes; and such certificate, whether by the Indian or by the superintendent for the Five Civilized Tribes, shall be subject to approval by the Secretary of the Interior and, when approved by the Secretary of the Interior, shall be recorded in the office of the superintendent for the Five Civilized Tribes and in the county records of the county in which the land is situated; and said lands, designated and described in the approved certificates so recorded, shall remain exempt from taxation while the title remains in the Indian designated in such approved and recorded certificate, or in any full-blood Indian heir of devisee of the land: *Provided*, That the tax exemption shall not extend beyond the period of restrictions provided for in this Act: *And provided further*, That the tax-exempt land of any such Indian allottee, heir, or devisee shall not at any time exceed one hundred and sixty acres.[3]

Selection by superintendent on failure of Indian, etc.

Designated lands exempt from taxation.

Exemption period limited.

Not over 160 acres exempt.

No restrictions reimposed nor taxation exempted hereby.

SEC. 5. That this Act shall not be construed to reimpose restrictions heretofore or hereafter removed by the Secretary of the Interior or by operation of law, nor to exempt from taxation any lands which are subject to taxation under existing law.

Approved, May 10, 1928.

CHAP. 519.—An Act Authorizing a per capita payment to the Rosebud Sioux Indians, South Dakota

May 11, 1928.
[S. 3438.]
45 Stat., 497.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to withdraw from the Treasury of the United States so much of the tribal funds on deposit therein to the credit of the Rosebud Indians, of South Dakota, as may be required to make a $10 per capita payment to the recognized members of the tribe, and to pay or distribute the same under such rules and regulations as he may prescribe.

Rosebud Sioux Indians, S. Dak.
Per capita payment to, from tribal funds.

Approved, May 11, 1928.

CHAP. 528.—An Act To provide for the gratuitous issue of service medals and similar devices, for the replacement of the same, and for other purposes

May 12, 1928.
[H. R. 5789.]
45 Stat., 500.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to procure and issue without expense to persons entitled to them, and to the families of such as may be dead, the following service medals, together with the ribbons, clasps, stars, and similar devices as may be prescribed as a part thereof:

Army service medals.
Issue of, etc., authorized without expense to recipients.

Service designated.

(a) Civil War campaign medal; (b) Indian campaign medal; (c) Spanish campaign medal; (d) Spanish War service medal; (e) Cuban

[3] 53 I. D. D. 49, 471, 637.

occupation medal; (f) Porto Rico occupation medal; (g) Philippine campaign medal; (h) Philippine congressional medal; (i) China campaign medal; (j) Cuban pacification medal; (k) Mexican service medal; (l) Mexican border service medal; (m) Victory medal and clasps; (n) fourragere as an individual decoration; (o) any service medal or similar device hereafter authorized: *Provided*, That the fact that a person is not in or did not die in the service shall not preclude such gratuitous issue.

Proviso. Present service, etc., not required.

SEC. 2. That whenever any article presented under the provisions of this Act shall have been lost, destroyed, or rendered unfit for use, without fault or neglect on the part of the owner, such article may, under such regulations as the Secretary of War may prescribe, be replaced at cost price: *Provided*, That to persons in the military service of the United States such article may be replaced free of charge.

Replacement of lost, etc., medals, at cost.

Proviso. Without cost of persons in service.

SEC. 3. That the Secretary of War be, and he is hereby, authorized to expend from the appropriations for the support of the Army so much as may be necessary to defray the cost of the issues provided by this Act.

Expense from Army appropriations.

SEC. 4. All laws or parts of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

Approved, May 12, 1928.

CHAP. 531.—An Act To authorize an appropriation for a road on the Zuni Indian Reservation, New Mexico

May 12, 1928.
[S. 1456.]
45 Stat., 501.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized an appropriation of $8,000, out of any money in the Treasury not otherwise appropriated, for the construction of that portion of the Gallup-Saint Johns highway within the Zuni Indian Reservation, New Mexico, under the direction of the Secretary of the Interior and in conformity with such rules and regulations as he may prescribe: *Provided*, That Indian labor shall be employed so far as practicable: *And provided further*, That the proper authorities of the State of New Mexico or the county of McKinley shall agree to maintain such road free of expense to the United States.

Zuni Indian Reservation, N. Mex.
Sum authorized for constructing road through.

Provisos. Indian labor.
Maintenance by New Mexico, etc.

Approved, May 12, 1928.

CHAP. 580.—An Act Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1929, and for other purposes

May 16, 1928.
[H. R. 9481.]
45 Stat., 573.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1929, namely:

Independent Offices Act, 1929.
Appropriations for fiscal year 1929.

* * * * * * *

SMITHSONIAN INSTITUTION

Smithsonian Institution.

* * * * * * *

American ethnology: For continuing ethnological researches among the American Indians and the natives of Hawaii, the excavation and preservation of archæologic remains under the direction of

American ethnology.

the Smithsonian Institution, including necessary employees, the preparation of manuscripts, drawings, and illustrations, the purchase of books and periodicals, and traveling expenses, $60,300.

* * * * * * *

Approved, May 16, 1928.

May 16, 1928.
[H. R. 441.]
45 Stat., 589.

CHAP. 582.—An Act To authorize an appropriation to pay half the cost of a bridge and road on the Hoopa Valley Reservation, California

Hoopa Valley Indian Reservation, Calif.
Half of cost of constructing bridge and road on, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an appropriation of not more than $35,000 is hereby authorized out of any money in the Treasury not otherwise appropriated, to pay not more than half the cost of the construction of a free bridge and approaches thereto across the Trinity River within the Hoopa Valley Indian Reservation, California, and of a road leading over said bridge from the Weitchpec Road on the north to the public highway at the south line of said reservation, including the cost of surveys, plans, estimates, and specifications, and other necessary expenses connected therewith, on condition that the State of California or the County of Humboldt furnish the balance; and under rules and regulations prescribed by the Secretary of the Interior, who shall also approve the plans and specifications therefor: *Provided*, That before any money is spent hereunder, said State or county shall agree, in writing, to maintain the bridge and road without expense to the United States or the Indians.

California, etc., to furnish the balance.

Proviso.
Maintenance, etc., of, by State or county required.

Approved, May 16, 1928.

May 17, 1928.
[S. 1662.]
45 Stat., 600.

CHAP. 614.—An Act To change the boundaries of the Tule River Indian Reservation, California

Tule River Indian Reservation, Calif.
Boundaries changed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundaries of the Tule River Indian Reservation, California, created by Executive order dated January 9, 1873, are hereby changed so as to exclude from said reservation the following tracts of land, which were shown by the plat of survey approved on the 2d day of February 1884 to be a part of the public domain, and were duly patented or granted by the United States as such, but were shown by the plat of resurvey approved on the 12th day of March 1927 to be within the outer boundaries of the said Indian reservation, to wit: Southwest quarter southwest quarter section 7; all sections 16 and 17; east half northeast quarter, southwest quarter northeast quarter, southeast quarter northwest quarter, east half southeast quarter section 18; east half northwest quarter, northwest quarter northwest quarter, northeast quarter section 20; northwest quarter northwest quarter section 21; and tract numbered 48 in the southeast quarter section 28, all in township 21 south, range 31 east, of the Mount Diablo meridian in California.

Description.

Approved, May 17, 1928.

May 18, 1928.
[H. R. 10360.]
45 Stat., 601.

CHAP. 623.—An Act To confer additional jurisdiction upon the Court of Claims under an Act entitled "An Act authorizing the Chippewa Indians of Minnesota to submit claims to the Court of Claims," approved May 14, 1926[1]

Chippewa Indians of Minnesota.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in case num-

[1] 301 U. S., 358; 307 U. S., 5; 80 Ct. Cls., 410; 87 Ct. Cls., 1; 88 Ct. Cls., 1.

bered H–76 heretofore filed in the Court of Claims under and in pursuance of an Act of Congress entitled "An Act authorizing the Chippewa Indians of Minnesota to submit claims to the Court of Claims," approved May 14, 1926 (Forty-fourth Statutes at Large, page 555), wherein the Chippewa Indians of Minnesota are parties plaintiff and the United States is party defendant, if the Court of Claims shall determine that the said Chippewa Indians are entitled to recover a judgment against the United States upon the cause of action therein set forth, the said court shall further determine whether such judgment, or any part thereof, shall be paid by the United States out of funds held by the United States in trust for the Red Lake Band of Chippewa Indians of Minnesota, and if the court shall so determine and said funds are found inadequate, then the unsatisfied portion of said judgment shall be paid by the United States, but in no event shall any part of the land of the Red Lake Reservation be used in any way in payment thereof; and the said Red Lake Band of Chippewa Indians is hereby authorized, on the approval of this Act, to appear in said suit by their attorneys employed in accordance with the provisions of existing law, and defend their rights in the matter.

Court of Claims, if judgment in favor of claim of, to determine whether payment be made from trust funds of Red Lake Band.
44 Stat., 555, vol. 4, 546.

Use of Red Lake Reservation land forbidden.
Attorneys authorized.

Approved, May 18, 1928.

CHAP. 624.—An Act Authorizing the attorney general of the State of California to bring suit in the Court of Claims on behalf of the Indians of California

May 18, 1928.
[H. R. 491.]
45 Stat., 602.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of this Act the Indians of California shall be defined to be all Indians who were residing in the State of California on June 1, 1852, and their descendants now living in said State.

Indians in California. Definition of.

SEC. 2. All claims of whatsoever nature the Indians of California as defined in section 1 of this Act may have against the United States by reason of lands taken from them in the State of California by the United States without compensation, or for the failure or refusal of the United States to compensate them for their interest in lands in said State which the United States appropriated to its own purposes without the consent of said Indians, may be submitted to the Court of Claims by the attorney general of the State of California acting for and on behalf of said Indians for determination of the equitable amount due said Indians from the United States; and jurisdiction is hereby conferred upon the Court of Claims of the United States, with the right of either party to appeal to the Supreme Court of the United States, to hear and determine all such equitable claims of said Indians against the United States and to render final decree thereon.

Suit for compensation for lands, etc., taken from, by United States to be brought in Court of Claims, by attorney general of California for the Indians in.

Appeal to Supreme Court.

It is hereby declared that the loss to the said Indians on account of their failure to secure the lands and compensation provided for in the eighteen unratified treaties is sufficient ground for equitable relief.

Declaration of ground for equitable relief.

SEC. 3. If any claim or claims be submitted to said courts, they shall settle the equitable rights therein, notwithstanding lapse of time or statutes of limitation or the fact that the said claim or claims have not been presented to any other tribunal including the commission created by the Act of March 3, 1851 (Ninth Statutes at Large, page 631): *Provided*, That any decree for said Indians shall be for an amount equal to the just value of the compensation provided or proposed for the Indians in those certain eighteen unratified treaties executed by the chiefs and head men of the several tribes and bands of Indians of California and submitted to the Senate of the United States by the

Settlement notwithstanding lapse of time, etc.

9 Stat., 631.

Proviso.
Decree to equal compensation as provided by unratified treaties.

Prior payments as set-offs.

President of the United States for ratification on the 1st day of June, 1852, including the lands described therein at $1.25 per acre. Any payment which may have been made by the United States or moneys heretofore or hereafter expended to date of award for the benefit of the Indians of California, made under specific appropriations for the support, education, health, and civilization of Indians in California, including purchases of land, shall not be pleaded as an estoppel but may be pleaded by way of set-off.

Time for filing claims, etc.

SEC. 4. The claims of the Indians of California under the provisions of this Act shall be presented by petition, which shall be filed within three years after the passage of this Act. Said petition shall be subject to amendment. The petition shall be signed and verified by the attorney general of the State of California. Verification may be upon information and belief as to the facts alleged. Official letters, papers, documents, and public records, or certified copies thereof, may be used in evidence, and the departments of the Government shall give the said attorney access to such papers, correspondence, or furnish such certified copies of record as may be necessary in the premises free of cost.

Evidence admitted.

Allowance to reimburse the State for court costs, etc.

SEC. 5. In the event that the court renders judgment against the United States under the provisions of this Act, it shall decree such amount as it finds reasonable to be paid to the State of California to reimburse the State for all necessary costs and expenses incurred by said State, other than attorney fees: *Provided*, That no reimbursement shall be made to the State of California for the services rendered by its attorney general.

Proviso.
No reimbursement for attorney general's services.

Judgment to be placed to credit of the Indians.

Use of fund.

SEC. 6. The amount of any judgment shall be placed in the Treasury of the United States to the credit of the Indians of California and shall draw interest at the rate of 4 per centum per annum and shall be thereafter subject to appropriation by Congress for educational, health, industrial, and other purposes for the benefit of said Indians, including the purchase of lands and building of homes, and no part of said judgment shall be paid out in per capita payments to said Indians: *Provided*, That the Secretary of the Treasury is authorized and directed to pay to the State of California, out of the proceeds of the judgment when appropriated, the amount decreed by the court to be due said State, as provided in section 5 of this Act.

No per capita payment.

Proviso.
Payment to California for costs.

Roll to be prepared.

SEC. 7. For the purpose of determining who are entitled to be enrolled as Indians of California, as provided in section 1 hereof, the Secretary of the Interior, under such rules and regulations as he may prescribe, shall cause a roll to be made of persons entitled to enrollment. Any person claiming to be entitled to enrollment may within two years after the approval of this Act, make an application in writing to the Secretary of the Interior for enrollment. At any time within three years of the approval of this Act the Secretary shall have the right to alter and revise the roll, at the expiration of which time said roll shall be closed for all purposes and thereafter no additional names shall be added thereto: *Provided*, That the Secretary of the Interior, under such rules and regulations as he may prescribe, shall also cause to be made, within the time specified herein, a roll of all Indians in California other than Indians that come within the provisions of section 1 of this Act.[1]

Applications for enrollment.

Revision within three years.

Proviso.
Rules, etc., to be prescribed.

Approved, May 18, 1928.

[1] 80 Ct. Cls., 854; 295 U. S., 762.

CHAP. 644.—An Act To authorize allotments to unallotted Indians on the Shoshone or Wind River Reservation, Wyoming

May 21, 1928.
[S. 3365.]
45 Stat., 617.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized, under such rules and regulations as he may prescribe, to allot lands classified as nonirrigable, nontimbered grazing lands on the diminished Shoshone or Wind River Reservation, Wyoming, to all unallotted living children enrolled or entitled to be enrolled on said reservation, in areas not exceeding three hundred and twenty acres each, and to issue therefor trust patents of the form and legal effect authorized by the general allotment Act of February 8, 1887 (Twenty-fourth Statutes, page 388), as amended: *Provided*, That all minerals, including oil and gas, on any of the lands allotted hereunder are reserved in common for the benefit of the Indians having rights on the reservation, and may be leased for mining purposes under existing law.

Shoshone Reservation, Wyo.
Trust patents to unallotted children enrolled on.

Areas.

24 Stat., 388, vol. 1, 33.

Proviso.
Mineral deposits reserved for the Indians.

SEC. 2. That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $50,000 or so much thereof as may be necessary to pay the expenses for necessary surveys, classification of lands, and all other expenses in connection with the allotment work.

Sum authorized for surveys, etc.

Approved, May 21, 1928.

CHAP. 645.—An Act Authorizing the construction of a fence along the east boundary of the Papago Indian Reservation, Arizona

May 21, 1928.
[S. 3026.]
45 Stat., 617.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of $15,000, or so much thereof as may be necessary, is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for expenditure under the direction of the Secretary of the Interior for the purchase of barbed wire and posts and transportation of the same for use in the construction of a fence on or near the east boundary of the Papago Indian Reservation, Arizona, beginning at the international boundary line and extending in a northerly direction for approximately sixty miles: *Provided*, That no part of said appropriation shall be expended in payment of labor for the erection of said fence.

Papago Indian reservation, Ariz.
Fence along eastern boundary of, authorized.

Proviso.
No labor expenditure.

Approved, May 21, 1928.

CHAP. 646.—An Act For the purchase of land in the vicinity of Winnemucca, Nevada, for an Indian colony, and for other purposes

May 21, 1928.
[S. 2084.]
45 Stat., 618.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated the sum of $500, for the purchase of land in the vicinity of Winnemucca, Nevada, described as the north half of the northeast quarter of the southwest quarter of section 29, township 36 north, range 38 east, Mount Diablo meridian, containing twenty acres, more or less, to be used as an Indian colony.

Winnemucca, Nev.
Purchase of land near, for an Indian colony.

SEC. 2. That there is also authorized to be appropriated out of any money in the Treasury not otherwise appropriated the sum of $2,000 for moving the cabins of Indians residing in the vicinity of Winnemucca, Nevada, to the above described location, for making necessary

Sum authorized for moving cabins, etc., to new location.

repairs to said cabins, building roads in colony, and for erecting new cabins.

Approved, May 21, 1928.

May 21, 1928.
[H. R. 8110.]
45 Stat., 621.

CHAP. 652.—An Act Withdrawing from entry the northwest quarter section 12, township 30 north, range 19 east, Montana meridian

Public lands.
Site of battle between Nez Perces Indians and Army under Nelson A. Miles withdrawn from entry.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the northwest quarter section 12, township 30 north, range 19 east, Montana meridian, is hereby withdrawn from all forms of entry under the public land laws of the United States, for the purpose of preserving the site of the battle between Nez Perces Indians under Chief Joseph and the command of Nelson A. Miles.

Agreement with Montana, etc., for care, etc.

SEC. 2. That the Secretary of the Interior is hereby authorized to enter into an agreement with the State of Montana, or Blaine County, Montana, or citizens of Montana, or either or any of them, for the care and upkeep of the herein-described lands.

Designated as Chief Joseph Battle Ground of the Bear's Paw.

SEC. 3. That the lands hereby withdrawn from entry shall be designated and known as the Chief Joseph Battle Ground of the Bear's Paw.

Approved, May 21, 1928.

May 21, 1928.
[S. 1341.]
45 Stat., 683.

CHAP. 660.—An Act To amend the act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes

Federal Highway Act.
42 Stat., 215, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 11 of the Federal Highway Act, approved November 9, 1921 (Forty-second Statutes at Large, page 212), as amended or supplemented, be further amended by adding at the end of the second paragraph thereof the following:

Federal aid increased to State, with unappropriated public lands and nontaxable Indian lands, exceeding 5 per cent of area.

"*And provided further*, That in the case of any State containing unappropriated public lands and nontaxable Indian lands, individual and tribal, exceeding 5 per centum of the total area of all lands in the State in which the population, as shown by the latest available Federal census, does not exceed ten per square mile of area, the Secretary of Agriculture, upon request from the State highway department of such State, may increase the share payable by the United States to any percentage up to and including the whole cost on projects on the primary system of Federal-aid highways and on projects on the secondary system when the latter is a continuation of a route on the primary system or directly connects with a route on the primary system of an adjoining State, but such State shall allocate and expend during the same fiscal year upon some other project or projects on the Federal-aid system, under the direction of the Secretary of Agriculture, the amount it would have been required to expend upon such project."

Amount by State, to be expended on other projects.

Planting of shade trees to be included in project specifications.
42 Stat., 214.

SEC. 2. In every case in which, in the judgment of the Secretary of Agriculture and the highway department of the State in question, it shall be practicable to plant and maintain shade trees along the highways authorized by said Act of November 9, 1921, and by this Act, the planting of such trees shall be included in the specifications provided in section 8 of said Act of November 9, 1921.

Federal funds may be increased by mileage of roads in national forests, etc.

SEC. 3. The system of Federal-aid highways on which Federal funds may be expended in any State may exceed 7 per centum of the total

highway mileage of such State by the mileage of roads on said system within national forest, Indian, or other Federal reservations therein.

Allowance in small municipalities.

SEC. 4. Federal funds may be expended on that portion of a highway or street within a municipality having a population of two thousand five hundred or more, along which from a point on the corporate limits inwardly the houses average more than two hundred feet apart: *Provided*, That no Federal funds shall be expended for the construction of any bridge within or partly within any municipality having a population of more than thirty thousand, as shown by the latest available Federal or State census; but this limitation shall not apply in the case of an interstate bridge, including approaches, connecting such municipality in one State with a point in an adjoining State which may be within a municipality having a population of not more than ten thousand.

Proviso.
Expenditures for bridge construction limited.

Inconsistent acts repealed.

SEC. 5. All Acts or parts of Acts in any way inconsistent with the provisions of this Act are hereby repealed, and this Act shall take effect on its passage.

Approved, May 21, 1928.

CHAP. 662.—An Act To continue the allowance of Sioux benefits

May 21, 1928.
[H. R. 9046.]
45 Stat.,684.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to continue the allowance of the articles enumerated in section 17 of the Act of March 2, 1889 (Twenty-fifth Statutes at Large, page 894), or their commuted cash value under the Act of June 10, 1896 (Twenty-ninth Statutes at Large, page 334), to all Sioux Indians who shall have taken or may hereafter take allotments of land in severalty under section 19 of the Act of May 29, 1908 (Thirty-fifth Statutes at Large, page 451), and who have the prescribed status of the head of a family or single person over the age of eighteen years, and his approval shall be final and conclusive, claims therefor to be paid as formerly from the permanent appropriation made by said section 17 and carried on the books of the Treasury for this purpose. No person shall receive more than one allowance of the benefits, and application must be made and approved during the lifetime of the allottee or the right shall lapse.[1]

Sioux Indians.
Allowances of articles or commutation to all allottees under Act of May 29, 7908.
25 Stat., 894, vol. 1, 335.
29 Stat., 334, vol. 1, 598.
35 Stat., 451, vol. 3, 364.

Restricted on one allowance to a person, etc.

Approved, May 21, 1928.

CHAP. 663.—An Act To set aside certain lands for the Chippewa Indians in the State of Minnesota

May 21, 1928.
[H. R. 12067.]
45 Stat., 684.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of Indian Affairs having recommended to the Secretary of the Interior on February 8, 1899, that certain Chippewa Indian lands be withheld from entry and settlement, described as follows: The southwest quarter and the south half of the southeast quarter, section 21, township 145, range 26 west of the fifth principal meridian, in Minnesota, consisting of two hundred and forty acres, and reserved as a village site made to the Indians residing on the reservation of the Mississippi Chippewas, known as the Chippewa Reservation, and approved by the Secretary of the Interior on February 9, 1899, are hereby permanently reserved for said village site for said Indians.

Chippewa Indians of Minnesota.
Lands of, permanently set aside for a village site.

Approved, May 21, 1928.

[1] 9 Comp. Gen. Dec., 371; 11 Comp. Gen. Dec., 42.

May 22, 1928.
[H. R. 6854.]
45 Stat., 711.

CHAP. 686.—An Act To add certain lands to the Montezuma National Forest, Colorado, and for other purposes

Public lands.
Added to Montezuma National Forest, Colo.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described lands be, and the same are hereby, included in and made a part of the Montezuma National Forest, subject to all prior valid, adverse rights, and that said land shall hereafter be subject to all the laws affecting national forests:

Description.

Southwest quarter section 16, southeast quarter section 17, sections 19, 20, 21, 22, southwest quarter section 25, sections 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, township 42 north, range 17 west; east half section 8, sections 9, 10, 15, east half and northwest quarter section 16, northeast quarter section 17, east half section 21, sections 22, 23, 24, 25, 26, 27, east half section 28, east half section 33, sections 34, 35, 36, township 42 north, range 18 west; and sections 1, 2, and 3 of township 41 north, range 18 west, all from the New Mexico principal meridian.

Determination of area.

SEC. 2. The Secretary of the Interior is hereby directed to determine, from the official records of the General Land Office, the number of acres of public land in the tracts described in section 1 of this Act, and to compute the value thereof at the rate of $1.25 per acre, and he shall certify the computed value of said lands to the Secretary of the Treasury.

Value to be certified to Secretary of Treasury.

Confederated bands of Utes.
Amount to be credited to benefit of.
21 Stat., 199, vol. 1, 183.

SEC. 3. The Secretary of the Treasury is hereby directed to place to the credit of the confederated bands of Ute Indians for their benefit, as provided in the Act of Congress approved June 15, 1880 (Twenty-first Statutes at Large, page 199), the amount certified to him by the Secretary of the Interior under section 2 hereof, which amount shall be taken from the unobligated portion of the net receipts from the Montezuma National Forest, beginning with the fiscal year in which this Act is approved.

From receipts of the forest.

Approved, May 22, 1928.

May 23, 1928.
[H. R. 11479.]
45 Stat., 717.

CHAP. 707.—An Act To reserve certain lands on the public domain in Valencia County, New Mexico, for the use and benefit of the Acoma Pueblo Indians

Acoma Pueblo Indians.
Lands in New Mexico reserved for use of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all vacant, unappropriated, and undisposed of lands within township 7 north, ranges 7 and 8 west, and fractional township 8 north, range 8 west, New Mexico principal meridian, in New Mexico, be, and they are hereby, reserved for the sole use and occupancy of the Indians of the Acoma Pueblo: *Provided*, That the rights and claims of any bona fide settler initiated under the public land laws prior to October 3, 1927, the date of withdrawal of the lands from all forms of entry, shall not be affected by this Act.

Proviso.
Existing rights not affected.

Approved, May 23, 1928.

May 24, 1928.
[S. 4448.]
45 Stat., 733.

CHAP. 733.—An Act To amend section 4 of the Act entitled "An Act to extend the period of restrictions in lands of certain members of the Five Civilized Tribes, and for other purposes," approved May 10, 1928 [1]

Five Civilized Tribes, Okla.
Allotments.
45 Stat., 495, amended. *Ante*, 44.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of an Act approved May 10, 1928, entitled "An Act to extend the period of restrictions in lands of certain members of the Five Civilized

[1] 64 Fed. (2), 979, 980. 53 I. D. D., 49, 471, 637.

Tribes, and for other purposes" (Public Numbered 360, Seventieth Congress, first session), be, and the same is hereby, amended so as to read as follows:

"SEC. 4. That on and after April 26, 1931, the allotted, inherited, and devised restricted lands of each Indian of the Five Civilized Tribes in excess of one hundred and sixty acres shall be subject to taxation by the State of Oklahoma under and in accordance with the laws of that State, and in all respects as unrestricted and other lands: *Provided*, That the Indian owner of restricted land, if an adult and not legally incompetent, shall select from his restricted land a tract or tracts, not exceeding in the aggregate one hundred and sixty acres, to remain exempt from taxation, and shall file with the Superintendent of the Five Civilized Tribes a certificate designating and describing the tract or tracts so selected: *Provided further*, That in cases where such Indian fails, within two years from date hereof, to file such certificate, and in cases where the Indian owner is a minor or otherwise legally incompetent, the selection shall be made and certificate prepared by the Superintendent for the Five Civilized Tribes; and such certificate, whether by the Indian or by the Superintendent for the Five Civilized Tribes, shall be subject to approval by the Secretary of the Interior; and, when approved by the Secretary of the Interior, shall be recorded in the office of the Superintendent for the Five Civilized Tribes, and in the county records of the county in which the land is situated; and said lands, designated and described in the approved certificates so recorded, shall remain exempt from taxation while the title remains in the Indian designated in such approved and recorded certificate, or in any full-blood Indian heir or devisee of the land: *Provided*, That the tax exemption shall not extend beyond the period of restrictions provided for in this Act: *And provided further*, That the tax-exempt land of any such Indian allottee, heir, or devisee shall not at any time exceed one hundred and sixty acres."

Restricted lands, in excess of 160 acres, subject to State taxation after April 26, 1931.

Provisos.
Selection of exempted tracts by Indian owners.

Superintendent to select on failure of Indian, etc.

Designated lands exempt from taxation while title in the Indian, etc.

Exemption period limited.

Not over 160 acres

Approved, May 24, 1928.

CHAP. 741.—An Act To provide for the extension of the time of certain mining leases of the coal and asphalt deposits in the segregated mineral land of the Choctaw and Chickasaw Nations, and to permit an extension of time to the purchasers of the coal and asphalt deposits within the segregated mineral lands of the said nations to complete payments of the purchase price, and for other purposes

May 25, 1928.
[S. 3867.]
45 Stat., 737.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and hereby is, authorized, in his discretion and under such rules, regulations, terms, and conditions as he may prescribe, to extend to September 25, 1932, existing developed mining leases of the segregated coal and asphalt lands and deposits of the Choctaw and Chickasaw Nations which by their terms would expire prior to that date: *Provided*, That application is made by the owners of the leases for such extension of time: *And provided further*, That no lease shall be extended until the owner of such lease shall have paid all royalties due thereunder.

Choctaw and Chickasaw coal and asphalt lands.

Extension of existing leases of.

SEC. 2. That the Act of Congress approved February 8, 1918 (Fortieth Statutes at Large, page 433), as amended and modified by the Act of Congress approved February 22, 1921, (Forty-first Statutes at Large, page 1107), authorizing the sale of the leased and unleased coal and asphalt deposits in the segregated mineral land of the Choctaw

Authorization for sale of coal and asphalt deposits.
40 Stat., 433, amended, vol. 4, 143.
41 Stat., 1107, vol. 4, 287.

and Chickasaw Nations, Oklahoma, be, and the same is hereby, amended and modified as follows:

Purchasers to pay within 60 days all balances due from them.

"That the purchasers of any coal or asphalt deposits in the segregated mineral land of the Choctaw and Chickasaw Nations heretofore sold to them are hereby required to pay, within sixty days from the approval of this Act, to the superintendent of the Five Civilized Tribes Agency, or such other official as the Secretary may designate, for the benefit of the Choctaw and Chickasaw Nations, all balances of principal and interest due from said purchasers on the purchase price: *Provided*, That in any case, upon application of the purchaser and showing made by him in support thereof, the Secretary of the Interior may, in his discretion and under such rules, regulations, terms, and conditions as he may prescribe, extend to such purchaser the time within which the purchaser may pay the balances of principal and interest due from him: *Provided, however*, That the time so allowed shall not in any case extend beyond the period of four years from the date of the approval of this Act: *And provided further*, That said purchaser shall be required to pay in equal monthly installments, during the extended periods, the balances of principal and interest due from him: *Provided further*, That each purchaser, before allowing an extension, shall furnish the Secretary of the Interior security for payment of the amounts due under such extension, and upon application and showing made by said purchaser, the Secretary of the Interior may allow such purchaser to pay said balances in quarterly or semiannual installments: *Provided further*, That upon failure of any purchaser to pay any installment within one month after the same becomes due under the terms of the time extension, the Secretary of the Interior is hereby authorized to and shall declare the sale of the coal and asphalt deposits forfeited and canceled in accordance with the terms and conditions under which the sale was made, and, upon such forfeiture and cancellation, all amounts paid by such purchaser, principal and interest, shall become the property of the tribes. It is herein further provided that when application is made by any purchaser for extension of time within which to make payment of deferred installments of the purchase price and interest thereon, and before action is taken thereon by the Secretary of the Interior under the provisions of this Act, the governor of the Chickasaw Nation and the principal chief of the Choctaw Nation, or other legal representatives of said Indian nations, shall be notified thereof and afforded an opportunity to be heard or to file a written statement of their views in the case: *Provided*, That if any developed coal or asphalt lease shall expire and the owner of the lease shall not apply for the renewal thereof, or if the sale of any developed coal or asphalt lease shall be declared forfeited and canceled, the Secretary of the Interior is hereby authorized to take possession of said leased deposits and lease the same until September 25, 1932, or take whatever steps may be necessary to preserve and protect such property."

Provisos.
Discretionary extension permitted.

Time limited.

Monthly installments required.

Security for payments to be furnished.

Forfeitures of all rights on failure to pay an installment in one month after becoming due.

Notification to representatives of Chickasaws and Choctaws of applications for extensions of time.

Possession to be taken of all expired, forfeited, etc., leased deposits.

Approved, May 25, 1928.

May 26, 1928.
[H. R. 13342.]
45 Stat., 747.

CHAP. 753.—An Act To authorize a per capita payment to the Pine Ridge Sioux Indians of South Dakota

Pine Ridge Sioux Indians, S. Dak.
Per capita payment to, from tribal funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to withdraw from funds on deposit in the Treasury of the United States to the credit of the Pine Ridge Sioux Indians of South Dakota a sum sufficient to make a $10 per capita payment to said Indians, under such rules and regulations as he may prescribe.

Approved, May 26, 1928.

CHAP. 756.—An Act To authorize an appropriation for roads on Indian reservations

May 26, 1928.
[S. 1145.]
45 Stat., 750.

Indian Reservations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That appropriations are hereby authorized out of any money in the Treasury not otherwise appropriated for material, equipment, supervision and engineering, and the employment of Indian labor in the survey, improvement, construction, and maintenance of Indian reservation roads not eligible to Government aid under the Federal Highway Act and for which no other appropriation is available, under such rules and regulations as may be prescribed by the Secretary of the Interior.

Appropriations authorized for construction roads in, not eligible under Federal Highway Act, etc.
42 Stat., 212.
Post, 383, 468, 470, 594, 603.

Approved, May 26, 1928.

CHAP. 811.—An Act To authorize the leasing or sale of lands reserved for agency, schools, and other purposes on the Fort Peck Indian Reservation, Montana

May 28, 1928.
[S. 3593.]
45 Stat., 774.

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 hereby authorized to lease or sell any of the tribal lands on the Fort Peck Indian Reservation, Montana, the lands that were reserved and title thereto reinvested in the Indians by the Act of March 3, 1927 (Forty-fourth Statutes at Large, page 1402), and now reserved for agency, schools, and other purposes, upon such terms and conditions as he may prescribe with the consent and approval of the Indians through the general council of the Fort Peck Indians in the State of Montana at general council meeting when duly called and assembled: *Provided*, That no part of said tribal lands shall be sold until the Secretary of the Interior shall determine that said lands are no longer required for such purposes with the consent and approval of the said general council, and in case of the sale of said tribal lands the mineral rights, including oil, gas, and other minerals, shall be reserved to the Fort Peck Indians: *Provided further*, That the proceeds derived from the sale or lease of said tribal lands shall be deposited in the Treasury of the United States to the credit of the Fort Peck Indians under the title of "Fort Peck 4 per cent fund," and shall be subject to disposition under the Act of May 30, 1908 (Thirty-fifth Statutes at Large, page 558).

Fort Peck Indian Reservation, Mont.
Sale or lease of reserved agency, etc., lands with consent of the Indians.
44 Stat., 1402, vol. 4, 944.

Provisos.
Subject to determination of Secretary of the Interior.

Mineral rights reserved.

Proceeds to credit of "Fort Peck 4 per cent fund."

Disposition.
35 Stat., 563, vol. 3, 377.

Approved, May 28, 1928.

CHAP. 853.—An Act Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1928, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1928, and June 30, 1929, and for other purposes

May 29, 1928.
[H. R. 13873.]
45 Stat., 883.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1928, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1928, and June 30, 1929, and for other purposes, namely:

Second Deficiency Act, 1928.

* * * * * * *

SMITHSONIAN INSTITUTION

Smithsonian Institution.

Cooperative ethnological researches among the American Indians: For cooperation by the Smithsonian Institution with any State, educational institution, or scientific organization in the United States for

Cooperative American ethnological researches.

continuing ethnological researches among the American Indians and the excavation and preservation of archæological remains, as authorized by the Act of April 10, 1928, $20,000, to remain available until expended.

Ante, 40.

* * * * * * *

Interior Department.

INTERIOR DEPARTMENT

Secretary's Office.

OFFICE OF THE SECRETARY

Damages claims. 42 Stat., 1066, vol. 4, 368.

Damage Claims: To authorize the payment of claims for damages to privately owned property from existing appropriations which have been considered and adjusted by the Department of the Interior under the provisions of the Act of December 28, 1922, as set forth in House Document Numbered 255, Seventieth Congress, as follows:

Joseph Nelson. 43 Stat., 1152, vol. 4, 493.

To Joseph Nelson, of Blackwater, Arizona, $30, payable from the appropriation "Irrigation project, Gila River Indian Reservation, Arizona, reimbursable, 1926."

J. B. Martin. 44 Stat., 856, vol. 4, 904.

To J. B. Martin, of Seattle, Washington, $21, payable from the appropriation "Reclaiming land, Lummi Indian Reservation, Washington, reimbursable, 1927."

* * * * * * *

Indian Affairs Bureau.

BUREAU OF INDIAN AFFAIRS

Supplies, purchase, transportation, etc.

Purchase and transportation of Indian supplies: For expenses necessary to the purchase of goods and supplies for the Indian Service, including inspection, pay of necessary employees, and all other expenses connected therewith, including advertising, storage, and transportation of Indian goods and supplies for the fiscal years that follow—for 1924, $195.36; for 1927, $28,744.14.

Osage murder trials, Okla. Prosecution, etc., expenses.

Osage murder trials, Oklahoma: For expenses in connection with the prosecution of the person or persons implicated in the crimes resulting in the murder of Osage citizens, for witness fees and expenses, records, additional investigations, and all other purposes, $10,000, or so much as may be necessary, to be paid from funds on deposit in the United States Treasury to the credit of the Osage Tribe, and to remain available until June 30, 1929: *Provided*, That no part of this sum shall be expended for the compensation of attorneys.

Proviso. Attorneys' fees forbidden.

Fort Belknap Reservation, Mont. Reimbursement to certain Indians of, for value of allotments thereon. Post, 67.

Reimbursement to certain Indians, Fort Belknap Reservation: To reimburse certain Indians of the Fort Belknap Reservation, as authorized by the Act of March 5, 1928 (Private Act Numbered 26, Seventieth Congress), $45,716.80, to remain available until June 30, 1929.

Fort Wingate, N. Mex., Military Reserve. Purchase of land within, for Navajo Indians.

Transfer of land, Fort Wingate Military Reserve, New Mexico: The Secretary of the Interior is hereby authorized to acquire by transfer from the War Department that portion of the abandoned Fort Wingate Military Reserve in the State of New Mexico situated north of the Atchison, Topeka and Santa Fe Railroad right of way, embracing approximately nine thousand five hundred and two acres, at the appraised price of $9,026.90; and to make payment therefor to the Secretary of War from the tribal funds of the Navajo Indians authorized for expenditure by the Interior Department Appropriation Acts for the fiscal years 1928 and 1929, title to said land to remain in the United States in trust for the Navajo Indians.

Shoshone or Wind River Reservation, Wyo. Allotments to unallotted Indians on.

Survey, classification, and allotment of lands on Shoshone or Wind River Reservation, Wyoming: For necessary surveys, classification of lands, and all other expenses in connection with the allotment of

lands on the Shoshone or Wind River Reservation, Wyoming, authorized by the Act of May 21, 1928, fiscal years 1928 and 1929, $50,000.

Ante, 51.

Land and improvements, Indian colony, Winnemucca, Nevada: For the purchase of land in the vicinity of Winnemucca, Nevada, to be used as an Indian colony, $500; and for moving the cabins of Indians residing in that vicinity to the location above described, for making necessary repairs to said cabins, erecting new cabins, and building roads in the colony, $2,000; in all, fiscal years 1928 and 1929, $2,500, as authorized by the Act of May 21, 1928.

Indian colony, Winnemucca, Nev.
Purchase of land, etc., for use as.

Ante, 51.

Construction of fence, Papago Reservation, Arizona: For the construction of a fence along the east boundary of the Papago Indian Reservation, Arizona, as authorized in the Act of May 21, 1928, fiscal years 1928 and 1929, $15,000.

Papago Reservation, Ariz.
Construction of fence.
Ante, 51.

Payment to Okanogan County, Washington: For payment of certain local taxes to Okanogan County, State of Washington, on allotted Colville Indian lands, as authorized by the Act of April 23, 1928 (Public, Numbered 301, Seventieth Congress), $77,435.31, to remain available until June 30, 1929.

Okanogan County, Wash.
Payment of certain taxes to, authorized.
Ante, 42.

Purchase of land for Navajo Indians: For purchase of additional land and water rights for the use and benefit of Indians of the Navajo Tribe (at a total cost not to exceed $1,200,000, which is hereby authorized), title to which shall be taken in the name of the United States in trust for the Navajo Tribe, fiscal years 1928 and 1929, $200,000, payable from funds on deposit in the Treasury of the United States to the credit of the Navajo Tribe: *Provided*, That in purchasing such lands title may be taken, in the discretion of the Secretary of the Interior, for the surface only.

Navajo Indians.
Additional land and water rights for benefit of, authorized.

Proviso.
Title for surface only.

Alabama and Coushatta Indians, Texas: For the purchase of land for, and industrial assistance to, the Alabama and Coushatta Indians in Polk County, Texas, including not less than $5,000 for the purchase of livestock and agricultural equipment for such Indians, fiscal years 1928 and 1929, $40,000, to be reimbursed to the United States under such rules and regulations as the Secretary of the Interior may prescribe: *Provided*, That title to any land purchased shall be taken in the name of the United States in trust for such Indians.

Alabama and Coushatta Indians, Tex.
Land and industrial assistance to.

Proviso.
Title.

Insect-control work, Klamath Indian Reservation, Oregon: For forest insect-control work on the Klamath Indian Reservation in Oregon, fiscal year 1929, $25,000, to be paid from tribal funds of the Klamath Indians.

Klamath Reservation, Oreg.
Forest insect control on.

Water system, Consolidated Ute Agency, Colorado: For the construction of a water system (including purchase of reservoir site and/or the sinking of one or more wells) and employees' cottages at the Consolidated Ute Indian Agency and School, Colorado, $41,000, to remain available until June 30, 1929.

Consolidated Ute Agency, Colo.
Water supply and employees' cottages.

Power plant, Coolidge Dam, San Carlos Reservation, Arizona: For carrying out that provision of the Interior Department Appropriation Act for the fiscal year 1929 which authorizes contractual obligations not exceeding $350,000 for the development of electrical power at the Coolidge Dam, fiscal year 1929, $350,000, reimbursable as provided for by the Act of June 7, 1924 (Forty-third Statutes, page 475): *Provided*, That the requirement of the second proviso in the paragraph making an appropriation for the San Carlos project as contained in such appropriation Act is hereby waived: *Provided further*, That the cost of such power plant shall be an obligation of the district, provided for in the Act of June 7, 1924, and the Pima Indians, in accordance with their respective acreage within the San Carlos project, and the contract with such district, as required by the Act of June 7, 1924, shall contain proper provision obligating the

San Carlos Reservation, Ariz.
Development of power at Coolidge Dam.

43 Stat., 475, vol. 4, 447.
Provisos.
Repaying cost, etc., by water users associations waived.

Distribution of costs.

Contract requirements.

district to pay its share of the cost thereof; and the total sum herein appropriated shall be reimbursed as a part of the construction cost of the San Carlos project and under the conditions and provisions of that Act. Such contract shall also provide for furnishing power for agency and school purposes and for pumping for irrigation by Indians on the San Carlos Reservation at a cost not exceeding 2 mills per kilowatt-hour delivered at the switchboard at the Coolidge Dam.

Reimbursement of construction cost.

Power to be furnished.

Cost.

Michaud division, Fort Hall Indian Reservation, Idaho: To carry out the provisions of an Act entitled "An Act authorizing an appropriation for the survey and investigation of the placing of water on the Michaud division and other lands in the Fort Hall Indian Reservation," approved March 28, 1928, fiscal years 1928 and 1929, $25,000 (reimbursable).

Fort Hall Reservation, Idaho.
Feasibility, etc., of irrigating Michaud division to be determined.

Improvement, maintenance, and operation, Hogback irrigation project, Navajo Reservation, New Mexico (reimbursable): For repair of the diversion dam, Hogback project, New Mexico, fiscal years 1928 and 1929, $1,200.

Navajo Reservation, N. Mex.
Repair of diversion dam.

Middle Rio Grande conservancy project, New Mexico: For payment to the middle Rio Grande conservancy district in accordance with the provisions of an Act entitled "An Act authorizing the Secretary of the Interior to execute an agreement with the middle Rio Grande conservancy district providing for conservation, irrigation, drainage, and flood control for the Pueblo Indian lands in the Rio Grande Valley, New Mexico, and for other purposes," approved March 13, 1928, fiscal year 1929, $100,000 (reimbursable).

Middle Rio Grande conservancy project, N. Mex.
Share of construction, etc., costs.
Ante, 34.

Crop damage, Isleta Pueblo, New Mexico: Indian pueblos, New Mexico: For payment of damages to crops and improvements destroyed in constructing the Isleta drainage canal, fiscal years 1928 and 1929, $161.

Isleta Pueblo, N. Mex.
Payment of crop damages.

Indian school buildings: For the construction of a boys' dormitory at the Riverside Indian School, Anadarko, Oklahoma, as authorized by the Act of April 2, 1928, $40,000, to remain available until June 30, 1929.

Indian schools.
Riverside School, Anadarko, Okla.
Boys' dormitory.
Ante, 40.

Indian school, Fort Bidwell, California: For school building, $30,000, for hospital, $30,000; in all, fiscal years 1928 and 1929, $60,000, as authorized by the Act of March 28, 1928.

Fort Bidwell, Calif.
Ante,, 37.

Haskell Institute, Lawrence, Kansas: For the construction of an adequate septic sewage disposal system, $18,000; for the replacement of buildings, material, and equipment, and for necessary repairs to adjoining buildings and light poles destroyed and damaged by fire on March 27, 1928, $8,000; in all, fiscal years 1928 and 1929, $26,000.

Haskell Institute, Kans.

Indian school, Riverside, California: For purchase of dairy cattle, $9,750, to remain available until June 30, 1929.

Riverside, Calif.

Indian school, Bismarck, North Dakota: For the purchase of additional land as authorized by the Act of March 26, 1928, $11,160, to remain available until June 30, 1929.

Bismarck, N. Dak.
Ante, 26.

Indian boarding schools: Not exceeding $30,000 of the appropriation for Indian boarding schools contained in the Interior Department Appropriation Act for the fiscal year 1929 shall be available immediately: *Provided*, That the total of the expenditures during the fiscal years 1928 and 1929 shall not exceed for any school the total of the limitations as specified for such school for the fiscal years 1928 and 1929 in the Interior Department Appropriation Acts for such fiscal years.

Boarding schools.
Amount immediately available.

Proviso.
Limitation of expenditures.

Conservation of health among Indians: Not exceeding $75,000 of the appropriation for "Indian schools, support," and not exceeding $55,000 of the appropriations under the caption "Fulfilling treaties with

Conservation of health.
Additional funds available.

Indians," contained in the Interior Department Appropriation Act for the fiscal year 1929, shall be available during such fiscal year for the conservation of health among Indians in addition to the appropriation of $1,440,000 for the same year for the same purpose.

Menominee Reservation, Wis.
Hospital, etc.

Hospital and equipment and physicians' quarters, Menominee Reservation, Wisconsin (tribal funds): For construction of hospital and equipment, and for physician's quarters, Menominee Reservation, Wisconsin, fiscal years 1928 and 1929, $50,000, payable out of tribal funds of the Menominee Indians.

Pottawatomie Indians of Wisconsin and Michigan.
Sums from unappropriated balances.
7 Stat., 442, vol. 2, 410.
13 Stat., 172, vol. 1, 127.
Unexpended balances reappropriated.
39 Stat., 156, vol. 4, 86.
40 Stat., 589, vol. 4, 174.
41 Stat., 29, vol. 4, 220.
38 Stat., 102, vol. 3, 586.
Available to June 30, 1929.
Expended for benefit of Indians, etc.
Ante, 5.

Payment to Pottawatomie Indians of Wisconsin and Michigan: For the Wisconsin Pottawatomie Indians of Wisconsin and Michigan, $6,839, this sum being the unappropriated balance found due said Indians under the treaty of September 27, 1833 (Seventh Statutes at Large, page 442), and the Act of June 25, 1864 (Thirteenth Statutes at Large, page 172); and the unexpended balances of appropriations made for this purpose by the Acts of May 18, 1916 (Thirty-ninth Statutes at Large, page 156), May 25, 1918 (Fortieth Statutes at Large, page 589), and June 30, 1919 (Forty-first Statutes at Large, page 29), aggregating $37,044.55, together with the unexpended balance of $4,347.73 of the appropriation for the purchase of land for said Indians contained in the Act of June 30, 1913 (Thirty-eighth Statutes at Large, page 102), which have been carried to the surplus fund of the Treasury, are hereby reappropriated; and the foregoing amounts aggregating $48,231.28 shall remain available until June 30, 1929, and be subject to expenditure for the benefit of said Indians, or payment to them, in the discretion of the Secretary of the Interior, as authorized by the Act of February 29, 1928.

Crow Reservation, Mont.
Part of cost of constructing road on.
Ante, 42.

Construction of road, Crow Reservation, Montana: For part of the cost of the construction of a road on the Crow Indian Reservation, Montana, between the towns of Hardin and Saint Xavier, to be taken from the tribal funds on deposit to the credit of said Indians in the United States Treasury, as authorized by the Act of April 14, 1928 (Public, Numbered 275, Seventieth Congress), $7,500, to remain available until June 30, 1929.

Sia pueblo, N. Mex.
Bridge, Jemez River.

Construction of a bridge, Sia pueblo, New Mexico: For the construction of a bridge across the Jemez River at the Sia Indian pueblo, New Mexico, including the necessary approaches thereto, $7,500, to remain available until June 30, 1929.

Lummi Reservation, Wash.
Completion of road across.
Ante, 36.

Construction of road, Lummi Indian Reservation, Washington: For completion and graveling of the road partially constructed by Whatcom County across the Lummi Indian Reservation, Washington, as authorized by the Act of March 26, 1928, $20,000, to remain available until June 30, 1929.

Hoopa Valley Reservation, Calif.
Half the cost of bridge and road on.
Ante, 48.

Bridge and road, Hoopa Valley Reservation, California: For one-half the cost of a bridge and road on the Hoopa Valley Indian Reservation, California, as authorized by the Act of May 16, 1928, fiscal years 1928 and 1929, $35,000.

Zuni Reservation, N. Mex.
Road construction on.
Ante, 47.

Construction of road, Zuni Reservation, New Mexico: For the construction of a road on the Zuni Indian Reservation, New Mexico, as authorized by the Act of May 12, 1928, fiscal years 1928 and 1929, $8,000.

Medicine Lodge, Kans.
Tablet to commemorate Indian peace council there in 1867.
Ante, 44.

Memorial tablet at Medicine Lodge, Kansas: For the erection of a tablet or marker at Medicine Lodge, Kansas, to commemorate the holding of the Indian peace council at which treaties were made between the United States and the Kiowa, Comanche, Apache, Cheyenne, and Arapahoe Indians as authorized by the Act of May 7, 1928, fiscal years 1928 and 1929, $2,500.

Puyallup Indian Cemetery, Wash. Maintenance, etc.

Upkeep of Puyallup Indian Cemetery, Washington (Tribal Funds): For upkeep of the Puyallup Indian Cemetery in the city of Tacoma, Washington, fiscal year 1929, $1,000, payable from interest on the fund set aside for this purpose by the Act of March 28, 1928.

Ante, 38.

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Audited claims.

AUDITED CLAIMS

Payment of, certified by General Accounting Office.

SEC. 2. That for the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874, and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1925 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884, as fully set forth in House Document Numbered 289, Seventieth Congress, first session, there is appropriated as follows:

18 Stat., 110.

23 Stat., 254.

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Interior Department.

DEPARTMENT OF THE INTERIOR

* * * * * * *

For general expenses, Indian Service, $5.42.

For purchase and transportation of Indian supplies, $16.61.

For industrial work and care of timber, $26.70.

For industry among Indians, $540.

For water supply for stock and increasing grazing range on unallotted Indian lands (reimbursable), $16.

For diversion dam, Gila River Reservation, Arizona (reimbursable), $3,473.52.

For Indian schools, support, $72.08.

For Indian school and agency buildings, $226.58.

For Indian school buildings, $82.52.

For Indian boarding schools, $1.75.

For fulfilling treaties with Navajoes, schools, Arizona, $6.66.

For relieving distress and prevention, and so forth, of diseases among Indians, $197.95.

For support of Indians in Nevada, $25.85.

For support of Northern Cheyennes and Arapahoes, Montana, $7.05.

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Approved, May 29, 1928.

May 29, 1928.
[H. R. 11468.]
45 Stat., 938.

CHAP. 854.—An Act Authorizing the Secretary of the Interior to execute an agreement or agreements with drainage district or districts providing for drainage, and reclamation of Kootenai Indian allotments in Idaho within the exterior boundaries of such district or districts that may be benefited by the drainage and reclamation work, and for other purposes

Kootenai Indian allotments, Idaho.
Agreement authorized with drainage districts for drainage of, within boundaries thereof.

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 hereby authorized to enter into an agreement with drainage districts now formed or to be formed in pursuance to the drainage laws of the State of Idaho providing for the drainage and reclamation of Kootenai Indian allotments situated within the exterior boundaries of any of such districts after he shall have first determined the plans submitted by such district or districts of the work to be accomplished that shall benefit the Indian allotments. The share of the cost that may be apportioned shall not exceed $114,000 for the

Maximum share of cost to be apportioned.

total acreage of Indian lands approximating two thousand four hundred and thirty-six acres, and said sum, or so much thereof as may be required to pay the Indians' share of the cost of the work, shall be payable in not less than twenty annual installments, payments to begin on the same date that payments are to begin for lands other than Indian that are within the respective irrigation districts, and such payments shall be made without interest: *Provided*, That should at any time it appear to the said Secretary that construction work is not being carried out in accordance with the plans submitted to him by any of the districts with which contract may have been executed as herein provided for, he shall notify the district of its delinquency and advise that payments will not be made under the contract until such work shall have been done in accordance with the said plans: *Provided further*, That in determining the share of the cost of such work to be paid on behalf of the Indian lands to the district within which such lands are situated, there shall be taken into consideration any deductions that may not properly be apportioned against the Indian lands, and in no event shall the Indian lands bear a share of the cost in excess of the ratio their acreage benefited bears to the total lands benefited within any such district, the total Indian acreage to be benefited to be definitely determined by the said Secretary of the Interior: *Provided further*, That the amount herein authorized to be appropriated to cover the share of the cost of the work on behalf of the Indian lands shall be reimbursed to the United States from the proceeds of leases covering the Indian lands benefited by the drainage work, and said Secretary is hereby authorized to lease such lands not actually being cultivated by the Indians themselves for agricultural purposes for periods not in excess of ten years, and the proceeds derived therefrom shall be used for payment of the cost of said work and the balance placed in the Treasury to the credit of the Indians to bear interest at the rate of 4 per centum per annum: *Provided further*, That there is hereby created against such lands a first lien, which lien shall not be enforced during the period that the title to such lands remains in the Indians but that in case of sale of any such lands said lands shall be sold subject to the first lien herein created: *Provided further*, That said Secretary of the Interior, through the Commissioner of Indian Affairs, or his duly authorized agent, shall be recognized by any district with which contract shall be entered into in accordance with the provisions of this Act in all matters pertaining to its operation in the same ratio that the Indian lands bear to the total area of lands within the district, and that the district books and records shall be available at all times for inspection of by said representative: *Provided, however*, That said Indian lands shall not be subject to the provisions of any district laws until such time as the Indian title in and to any such lands shall become extinct, nor shall they be subject to operation and maintenance charges during the period that such lands remain in Indian ownership.

Approved, May 29, 1928.

Payments by installments.

Provisos.

Payments withheld, if work not in accordance with determined plans.

Proportionate share of cost to be borne by Indian lands.

Reimbursement of amount authorized from proceeds of leases of benefited lands not cultivated by the Indians.

Deposit of proceeds.

Lien created, but not enforceable while title remains in the Indians.

Representative of Secretary to be recognized in matters pertaining to operation of contracts.

Indian lands not subject to district laws until Indian title becomes extinct, etc.

CHAP. 855.—An Act Authorizing the Secretary of the Interior to acquire land and erect a monument on the site of the battle between the Sioux and Pawnee Indian Tribes in Hitchcock County, Nebraska, fought in the year 1873

May 29, 1928.
[H. R. 9194.]
45 Stat., 939.

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 hereby authorized to erect a suitable monument and historical tablets on or near the site of the battle between the Sioux and Pawnee Indians near the Republican River in Hitchcock County, Nebraska, the last battle between Indian tribes on American soil,

Sioux and Pawnee Indians.

Monument authorized on site of battle between, in Hitchcock County, Nebr.

Title, etc., vested in Nebraska.

The title to the land deemed appropriate for the site shall be vested in the State of Nebraska, and care of the site and monument shall be without expense to the Federal Government.

Sum authorized for.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $7,500, or so much thereof as may be necessary to carry out the provisions of this Act: *Provided*, That the said monument shall be the work of an artist who is a citizen of the United States.

Proviso.
To be work of American artist.

Approved, May 29, 1928.

May 29, 1928.
[S. 3868.]
45 Stat., 944.

CHAP. 857.—An Act Authorizing an advancement of certain funds standing to the credit of the Creek Nation in the Treasury of the United States to be paid to the attorneys for the Creek Nation, and for other purposes.[1]

Creek Indians.
Sum allowed from tribal fund for expenses of attorneys in claims of, against United States.
43 Stat., 139, vol. 4, 416.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be expended, out of any money now standing to the credit of the Creek Nation of Indians in the Treasury of the United States, the sum of not exceeding $18,000 to be, by the Secretary of the Interior, paid out in his discretion to attorneys for the Creek Nation of Indians employed under the authority of the Act of Congress approved May 24, 1924 (Forty-third Statutes at Large, page 139), the payments to be made in such sums as may be necessary to reimburse the attorneys for such proper and necessary expenses as may have been incurred or may be incurred in the investigation of records and preparation, institution, and prosecution of suits of the Creek Nation of Indians against the United States under the above-mentioned Act of May 24, 1924: *Provided, however*, That the claims of the attorneys shall be filed by said attorneys with the Secretary of the Interior and shall be accompanied by the attorneys' itemized and verified statement of the expenditures for expenses and by proper vouchers, and that the claims so submitted shall be subject to the approval of the Secretary of the Interior: *And provided further*, That any sums allowed and paid under this Act to the attorneys shall be reimbursable to the credit of the Creek Nation out of any amount or amounts which may hereafter be decreed by the Court of Claims to said attorneys for their services and expenses in connection with the Creek tribal claims and suits under the above-mentioned Act of May 24, 1924.

Provisos.
Statement of expenses subject to approval of Secretary of the Interior.

Sums reimbursable from amount decreed by Court of Claims.

Approved, May 29, 1928.

May 29, 1928.
[S. 4346.]
45 Stat., 962.

CHAP. 873.—An Act To authorize an appropriation for the purchase of certain privately owned lands within the Fort Apache Indian Reservation, Arizona.

Fort Apache Reservation, Ariz.
Purchase of land, etc., within, from Aztec Land and Cattle Company for Indians thereof from tribal funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized an appropriation of $6,200, or as much thereof as might be required, from the tribal fund "Indian moneys proceeds of labor" on deposit in the Treasury of the United States to the credit of the Indians of the Fort Apache Reservation, Arizona, for the purchase of the land and appurtenances thereof located within the exterior boundaries of that reservation and belonging to the Aztec Land and Cattle Company, title thereto to be taken in the name of the United States in trust for said Indians.

Approved, May 29, 1928.

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[1] 79 Ct. Cls., 778.

CHAP. 880.—An Act Authorizing the Secretary of the Interior to dispose of two bridges on the San Carlos Indian Reservation, in Arizona, and for other purposes

May 29, 1928.
[S. 4321.]
45 Stat., 973.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized under such terms and conditions as he may deem proper, to dispose of two bridges, one across the Gila River on the San Carlos Apache Indian Reservation, Arizona, and the other across the San Carlos River on that reservation, constructed in pursuance to a provision in an Act approved July 15, 1913 (Thirty-eighth Statutes at Large, page 85), that will no longer be serviceable after the completion of the Coolidge Dam now being constructed across the Gila River, in Arizona, the proceeds from such sale to be deposited in the Treasury to the credit of the San Carlos Indians and draw interest at 4 per centum per annum.

San Carlos Apache Reservation, Ariz.
Disposal of two bridges across Gila, and San Carlos Rivers on, authorized.

Proceeds to credit of San Carlos Indians.

Approved, May 29, 1928.

CHAP. 901.—An Act To discontinue certain reports now required by law to be made to Congress

May 29, 1928.
[H. R. 12064.]
45 Stat., 986.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following reports and statements now required by law to be made to Congress are hereby discontinued, and all Acts or parts of Acts herein cited as requiring the submission of such statements and reports are hereby repealed to the extent of such requirement:

Reports, etc., to Congress.
Submission of designated, discontinued.

REPORTS UNDER EACH EXECUTIVE DEPARTMENT AND INDEPENDENT ESTABLISHMENT

Departments and independent establishments.

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REPORTS UNDER THE DEPARTMENT OF JUSTICE

Department of Justice.

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46. A list of all final judgments rendered under Act to provide for adjudication and payment of claims arising from Indian depredations in favor of claimants, and not paid. (Statutes at Large, volume 26, page 854.)

Indian depredation claims.
26 Stat., 854, vol. 1, 58.

47. All judgments in Indian depredation cases in which, in his opinion, there is no evidence that any fraud, wrong, or injustice has been done to the United States. (Statutes at Large, volume 28, page 477.)

Other Indian depredation claims.
28 Stat., 477, vol. 1, 70.

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REPORTS UNDER THE DEPARTMENT OF THE INTERIOR

Interior Department.

61. Report of expenditures under "Indian schools, support," as contemplated by the Act of March 2, 1887. (Statutes at Large, volume 24, page 465; title 25, section 299, United States Code.)

Indian schools, support.
U. S. Code, p. 708.

62. Report of expenditures under the appropriation for "Construction, lease, purchase, repairs, and improvements of school and agency buildings." (Statutes at Large, volume 36, part 1, page 1060; title 25, section 300, United States Code.)

School and agency buildings.
U. S. Code, p. 708.

63. Report in detail under section 17 of the Act to divide Sioux Reservation, and so forth. (Statutes at Large, volume 25, page 895.)

Sioux Reservation division.
25 Stat. 895, vol. 1, 328.

Allotment in severalty.
U. S. Code, p. 712.

64. Report showing cost account of all survey and allotment work on Indian reservations. (Statutes at Large, volume 36, part 1, page 270; title 25, section 338, United States Code.)

Industrial work, etc.
U. S. Code, p. 708.

65. Statement of the cost account of expenditures under the appropriation "Industrial work and care of timber." (Statutes at Large, volume 36, part 1, page 1061; title 25, section 301, United States Code.)

Encouraging Indian industry.
U. S. Code, p. 698.

66. Report of all moneys appropriated for the purpose of encouraging industry among Indians. (Statutes at Large, volume 38, part 1, page 587; title 25, section 144, United States Code.)

Specific employees.
23 Stat., 97, vol. 1, 224.

67. Report under the provisions of the Act of July 4, 1884, relative to diversion of appropriations for the pay of specific employees, and so forth. (Statutes at Large, volume 23, page 97.)

Indian money, proceeds of labor.
U. S. Code, p. 699.

68. Report in regard to the expenditures of moneys carried on the books of this department under the title "Indian moneys, proceeds of labor." (Statutes at Large, volume 22, page 590; Statutes at Large, volume 24, page 463; title 25, section 155, United States Code.)

Northern Cheyennes, cattle.
38 Stat., 594, vol. 4, 21.

69. Report regarding expenditures for cattle, Northern Cheyenne Indians, North Dakota. (Statutes at Large, volume 38, part 1, page 594.)

Apache, etc., tribal funds.
44 Stat., 941, vol. 4, 915, 926.

70. Report regarding expenditures of tribal funds of the Apache, Kiowa, and Comanche Indians, Oklahoma. (Statutes at Large, volume 44, part 2, page 941.)

Confederated Utes, tribal funds.
44 Stat., 955, vol. 4, 926.

71. Report regarding expenditures of tribal funds of the Confederated Bands of Utes. (Statutes at Large, volume 44, part 2, page 955.)

Chippewa of Minnesota, tribal funds.
44 Stat., 954, vol. 4, 926.

72. Statement of expenses incurred and paid from the tribal funds of the Chippewa Indians of Minnesota, Acts of May 18, 1916, and June 5, 1924. (Statutes at Large, volume 44, part 2, page 954.)

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Tongue River Reservation, Mont.
36 Stat., 277, vol. 3, 437.

80. Detailed report of the use of the appropriation of $15,000 for encouraging industrial work among Indians of the Tongue River Reservation in Montana. (Statutes at Large, volume 36, part 1, page 277.)

Indian hostilities.
R. S., sec. 2100, p. 366.

81. Report to Congress of any case of hostilities by any tribe with which the United States has treaty stipulations. (Revised Statutes, section 2100, page 366.)

Indian hospitals.
38 Stat. 584, vol. 4, 9.

82. Detailed report regarding moneys expended in the erection of hospitals provided for by the Act approved August 1, 1914. (Statutes at Large, volume 38, part 1, page 584.)

Sioux Nation horses.
43 Stat., 477, vol. 4, 449.

83. Report to Congress in regard to claims of certain members of the Sioux Nation of Indians for damage occasioned by the destruction of their horses, and so forth. (Statutes at Large, volume 43, part 1, page 477.)

Heirs of deceased Indians.
U. S. Code, p. 716

84. Report regarding all moneys collected to cover the cost of determining heirs of deceased Indians, and so forth. (Statutes at Large, volume 39, part 1, page 127; Statutes at Large, volume 42, part 1, page 1185; title 25, section 377, United States Code.)

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Surveys, Arizona and New Mexico reservations.
36 Stat., 272, vol. 3, 432.

86. A detailed statement showing the cost account of all survey and allotment work of reservations in Arizona and New Mexico. (Statutes at Large, volume 36, part 1, page 272.)

Indian tribal funds.
U. S. Code, p. 698.

87. A report by the Secretary of the Treasury of estimates of the amounts of the receipts to tribal funds and expenditures which the Secretary of the Interior recommends to be made for the benefit of the Indians, from all tribal funds of Indians for the ensuing fiscal year, and so forth. (Statutes at Large, volume 39, part 1, page 158; title 25, section 142, United States Code.)

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Approved, May 29, 1928.

CHAP. 912.—An Act To amend an Act of March 3, 1885, entitled "An Act providing for allotment of lands in severalty to the Indians residing upon the Umatilla Reservation, in the State of Oregon, and granting patents therefor, and for other purposes"

May 29, 1928.
[S. 1191.]
45 Stat., 1008.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of March 3, 1885 (Twenty-third Statutes at Large, page 340), be, and the same hereby is, amended so as to authorize the Secretary of the Interior to withhold from sale or disposition, for use as tribal grazing grounds, all unentered and undisposed of lands in township 2 south, ranges 34 and 35 east of the Willamette meridian, Oregon, formerly a part of the Umatilla Reservation.

Umatilla Reservation, Oreg.
Undisposed lands of, withheld from sale, for use as tribal grazing grounds.
23 Stat., 342, vol. 1, 224.

Approved, May 29, 1928.

PRIVATE ACTS OF THE SEVENTIETH CONGRESS, FIRST SESSION, 1927–1928

CHAP. 130.—An Act To reimburse certain Indians of the Fort Belknap Reservation, Montana, for part or full value of an allotment of land to which they were individually entitled

March 5, 1928.
[H. R. 9994.]
45 Stat., 1708.

Be it enacted by the Senate and House of Representatives of the *United States of America in Congress assembled*, That there is hereby authorized to be appropriated, from any funds in the Treasury of the United States not otherwise appropriated, the sum of $45,716.80 to reimburse the following-named Indians or their heirs, if deceased, in the amounts following their respective names as full compensation for the value of an allotment of land on the Fort Belknap Indian Reservation, Montana, to which they were individually entitled under the provisions of the Act of March 3, 1921 (Forty-first Statutes, page 1355): Richard O'Bryan, $1,516.80; Bessie O'Bryan Dohmeyer, $3,400; Eva O'Bryan, $3,400; Kate O'Bryan Wernicke, $3,400; Gerald O'Bryan, $200; Barbara E. O'Bryan, $200; John F. O'Bryan, $3,400; Rose Ellen O'Bryan, $3,400; Archie DuBoise, $1,600; Henry Bradley, $1,000; George Bradley, $1,600; William Bradley, $1,600; Josephine First Raised, $1,600; Mary First Raised, $1,600; Bryan First Raised, $800; Elizabeth Parker, $3,400; Charles W. Parker, $3,400; Ambrose Parker, $3,400; Darlene E. Parker, $3,400; Adell Strike, $200; Rosella O'Bryan, $1,600; Daisy Adams, $1,600: *Provided*, That the funds authorized to be appropriated hereby may be paid to the Indians in cash, or expended in the purchase of inherited or other trust lands within the Fort Belknap Reservation for which patents shall be issued of the same form as those held by other Indians of the reservation.

Fort Belknap Reservation, Mont.
Compensation to designated Indians of, for value of allotments thereon.
41 Stat., 1355, vol. 4, 319; Ante, 58.
Proviso.
Manner of payment.

Approved, March 5, 1928.

CHAP. 215.—An Act Authorizing the Court of Claims to render judgment in favor of the administrator of or collector for the estate of Peter P. Pitchlynn, deceased, instead of the heirs of Peter P. Pitchlynn, and for other purposes

March 12, 1928.
[S. 1705.]
45 Stat., 1710.

Be it enacted by the Senate and House of Representatives of the *United States of America in Congress assembled*, That the Court of Claims is hereby authorized to render judgment in the suit of the heirs of Peter P. Pitchlynn, deceased, against the Choctaw Nation, numbered thirty thousand five hundred and thirty-two, now pending in said court on mandate from the Supreme Court of the United States in favor of the administrator of or collector for the estate of Peter P. Pitchlynn, deceased, appointed or to be appointed under the laws

Peter P. Pitchlynn.
Court of Claims to render judgment in favor of administrator of estate of, instead of his heirs.

of the District of Columbia, for $3,113.92, the amount the Court of Claims on June 9, 1924, found to be due the heirs of said Pitchlynn from the Choctaw Nation. Said judgment shall be paid out of any funds in the Treasury or custody of the United States belonging to the Choctaw Nation.

From Choctaw tribal funds.

SEC. 2. To the above extent, the Act of Congress approved June 21, 1906 (Thirty-fourth Statutes at Large, pages 325, 345), under which said suit was instituted in said Court of Claims is hereby amended, and all Acts or parts of Acts inconsistent herewith are hereby repealed.

34 Stat., 345, amended, vol. 3, 212.

Inconsistent laws, etc., repealed.

Approved, March 12, 1928.

March 29, 1928
[S. 3007]
45 Stat., 1716.

CHAP. 299.—An Act To authorize the Secretary of the Interior to issue a patent to the Bureau of Catholic Indian Missions for a certain tract of land on the Mescalero Reservation, New Mexico

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to issue to the Bureau of Catholic Indian Missions a patent in fee for the unsurveyed tract of land of approximately ten acres, now occupied and improved by the St. Joseph Mission on the Mescalero Indian Reservation in New Mexico, formally reserved for the said Mission by order of the Secretary of the Interior dated June 25, 1912: *Provided*, That before such patent is issued the said corporation shall deposit with the Commissioner of Indian Affairs whatever amount of money may be required to pay the expenses of a survey to be made under the supervision of the General Land Office.

Bureau of Catholic Indian Missions.
Land patent on Mescalero Indian Reservation, N. Mex., issued to.

Proviso.
Payment for survey.

Approved, March 29, 1928.

April 24, 1928
[H. R.10038]
45 Stat., 1725.

CHAP. 429.—An Act For the relief of Wilford W. Caldwell

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to issue a patent under the homestead entry of Wilford W. Caldwell for the southeast quarter of the southeast quarter of section 35 and the southwest quarter of the southwest quarter of section 36 in township 1 south of range 1 east, Uintah meridian, Utah, upon compliance by said Wilford W. Caldwell with the homestead laws of the United States: *Provided, however*, That in addition to the usual fees and commissions payable under existing laws said entryman shall pay the sum of $1.25 per acre for the land so entered, which latter sum shall be deposited in the Treasury of the United States and disposed of in the same manner as other proceeds derived from the sale of lands within the former Uintah Indian Reservation, Utah.

Wilford W. Caldwell.
Homestead patent to.

Proviso.
Payment required.

Approved, April 24, 1928.

May 22, 1928
[H. R. 12446]
45 Stat., 1857.

CHAP. 691.—An Act To approve a deed of conveyance of certain land in the Seneca Oil Spring Reservation, New York

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a certain instrument of conveyance dated December 30, 1927, from the Seneca Nation of Indians to the Seneca Oil Spring Association (Incor-

Seneca Oil Spring Reservation, N. Y.
Conveyance of certain land in, validated.

porated), granting by quitclaim title a tract of land having a radius of seventy-five feet from the center of the oil spring located on the Oil Spring Reservation, New York, and a right of way three rods wide to such spring from the public highway now passing through the reservation, is hereby confirmed and the approval of the Assistant Secretary of the Interior Department of February 28, 1928, thereof is hereby validated: *Provided*, That the purpose for which the land is hereby conveyed shall be for the preserving of the spring as a historical monument only, and title to said land shall revert to the Seneca Nation of Indians if said land is ever placed to any other use.

Proviso.
Reversion to Seneca Indians if used other than as a historical monument.

Approved, May 22, 1928.

CHAP. 930.—An Act For the relief of William E. Thackrey

May 29, 1928
[S. 2306]
45 Stat., 2011.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That $1,688 be appropriated for repayment to William E. Thackrey of moneys deposited by him in the Treasury of the United States to satisfy disallowances to his accounts as superintendent and special disbursing agent of the Indian school at Mohave City, Arizona, because of additional compensation paid, in violation of section 1765, Revised Statutes, to Indian policemen for the collection of school pupils: *Provided*, That of this sum $1,148 shall be repaid from appropriations made for Indian school transportation for the fiscal years 1926 and 1927, and $540 from similar appropriations for the fiscal years 1924 and 1925, said latter sum being hereby reappropriated for that purpose.

William E. Thackrey.
Repayment to, for disallowances.

Proviso.
Reappropriation of former appropriations.

Approved, May 29, 1928.

CHAP. 931.—An Act For the relief of William A. Light

May 29, 1928
[S. 1691]
45 Stat., 2012.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement against the Government, the sum of $1,524.89 to William A. Light, of Valentine, Arizona, as compensation for injuries sustained on September 26, 1916, in the discharge of his official duties as superintendent of the United States Indian-school agency at Mescalero, New Mexico.

William A. Light.
Payment to, for personal injuries.

Approved, May 29, 1928.

CHAP. 934.—An Act For the relief of Omer D. Lewis.

May 29, 1928
[S. 1448]
45 Stat., 2012.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,573.21 to Omer D. Lewis for the purpose of reimbursing him for expenses incurred for hospital and doctor's fees paid and serious personal injuries received while aiding Federal officers engaged in suppressing the sale of liquor to Indians, the same to be immediately available.

Omer D. Lewis.
Reimbursement for hospital, etc., expenses.

Approved, May 29, 1928.

May 29, 1928
[S. 1645]
45 Stat., 2020.

CHAP. 959.—An Act For reimbursement of W. H. Talbert.

W. H. Talbert.
Reimbursement to, for automobile damages.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay W. H. Talbert, out of any money in the Treasury not otherwise appropriated, as reimbursement, the sum of $135 for money expended for repair of automobile wrecked in service of the Indian Department in transporting Indian children from one school to another.

Approved, May 29, 1928.

May 29, 1928
[S. 2076]
45 Stat., 2021.

CHAP. 962.—An Act Authorizing the allotment of Carl J. Reid Dussome as a Kiowa Indian, and directing issuance of trust patent to him to certain lands of the Kiowa Indian Reservation, Oklahoma

Carl J. Reid Dussome.
Trust patent to, on Kiowa Indian Reservation, Okla.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to issue a patent containing the usual restrictions against alienation inserted in other trust patents to Indians on the Kiowa Reservation, covering the northwest quarter section 23, township 6, range 16 west, Indian meridian, known as the Rainy Mountain School Reserve, in Kiowa County, Oklahoma, to the said Carl J. Reid Dussome, who has heretofore received no allotment of land from any source: *Provided*, That this shall be in lieu of all claims to any allotment of land or money settlement in lieu of an allotment.

Proviso.
In lieu of all other claims, etc.

Approved, May 29, 1928.

May 29, 1928
[H. R. 3539]
45 Stat., 2024.

CHAP. 973.—An Act For the relief of Frank Murray

Frank Murray.
Investigation of removal from Bad River Indian Reservation, Wis., directed.

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 hereby directed to investigate the removal of Frank Murray, a member of the Bad River Band of Chippewa Indians, and an allottee upon the Bad River Reservation in Wisconsin, from said reservation; and if he shall find that such removal by officers and agents of the Government was illegal, the Attorney General concurring, he shall so certify to the Secretary of the Treasury.

Payment to, if removal illegal.

Upon such certification being made to the Secretary of the Treasury, he is hereby authorized and directed to pay to said Frank Murray the sum of $3,000 to compensate him for injuries to his business and property by reason of such illegal removal.

Approved, May 29, 1928.

May 29, 1928
[S. 3794]
45 Stat., 2027.

CHAP. 982.—An Act For the relief of R. E. Hansen

R. E. Hansen.
Payment to, for crop damages.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of $2,480.65 is hereby authorized to be appropriated out of funds received from the sale of stored water in the Blackfoot Reservoir, Fort Hall irrigation project, Idaho, to the North Side Canal Company, to be expended under the direction of the Secretary of the Interior, to pay R. E. Hansen, Blackfoot, Idaho, for damages incurred in the destruction of his crop of hay and oats by the overflow of his land on account of the operation of said irrigation project.

Approved, May 29, 1928.

CHAP. 989.—An Act For the relief of C. R. Olberg

May 29, 1928
[S. 2738.]
45 Stat., 2029.

C. R. Olberg.
Payments of certain per diem allowances to, allowed.

Be it enacted by the the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the accounts of David Buddrus, cashier and special disbursing agent, Five Civilized Tribes, in the amount of $494, and to credit the accounts of C. R. Olberg, assistant chief irrigation engineer and special disbursing agent, Indian Service, in the amount of $1,253, both amounts representing per diem allowances in lieu of subsistence paid to C. R. Olberg during the period March 5, 1924, to September 30, 1926, while on duty at Sacaton, Arizona, and Los Angeles, California.

Approved, May 29, 1928.

PUBLIC ACTS OF THE SEVENTIETH CONGRESS, SECOND SESSION, 1928–1929

CHAP. 28.—An Act To provide for issuance of perpetual easement to the department of fish and game, State of Idaho, to certain lands situated within the original boundaries of the Nez Perce Indian Reservation, State of Idaho

December 15, 1928.
[H. R. 11983.]
45 Stat., 1022.

Nez Perce Indian Reservation, Idaho.
Easement to lands in, issued to Idaho for fish and game propagation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to issue perpetual easement to the department of fish and game, State of Idaho, to the following-described lands, all situated within the original boundaries of the Nez Perce Indian Reservation, State of Idaho:

Description.

Commencing at a point on the east and west center line of section 14, township 35 north, range 4 west, Boise meridian, eight hundred and eighty-five feet west of the east quarter corner of said section 14, which point of beginning is also on the easterly right-of-way line of the Camas Prairie Railroad; thence north three degrees ten minutes west, along said right-of-way line a distance of one thousand six hundred and forty-six feet; thence east a distance of one thousand one hundred and fifty-eight and five-tenths feet to a point on the westerly right of way line of the country road; thence south three degrees twenty-seven minutes west along said county road right-of-way line a distance of one thousand six hundred and forty-eight feet to a point on the east and west center line of section 13, township 35 north, range 4 west, Boise meridian, which point is eighty-three and six-tenths feet east of the west quarter corner of said section 13; thence north eighty-nine degrees fifty-eight minutes west, along the east and west center lines of said sections 13 and 14, a distance of nine hundred and sixty-eight and six-tenths feet to the point of beginning. Lying partly in the northwest quarter section 13 and partly in the northeast quarter section 14. All in township 35 north, range 4 west, Boise meridian, containing forty and twenty-two one-hundredths acres, more or less.

Use defined.
Proviso.
Reversion for nonuser.

Said lands to be used by the department of fish and game, State of Idaho, for the propagation of fish and game: *Provided*, That should the land herein granted cease to be used by the department of fish and game, State of Idaho, for the propagation of fish and game, the easement shall cease, the grantees be permitted to remove structures and equipment that they may have added, and the land described revert to the grantors herein.

Approved, December 15, 1928.

December 17, 1928.
[H. R. 7346.]
45 Stat., 1027.

CHAP. 36.—An Act Conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment thereon in claims which the Winnebago Tribe of Indians may have against the United States, and for other purposes [1]

Winnebago Indians.
Claims of, against United States submitted to Court of Claims.
10 Stat., 1172, vol. 2, 690; 12 Stat., 658, vol. 1, 125.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction be, and is hereby, conferred upon the Court of Claims, with the right of appeal to the Supreme Court of the United States by either party as in other cases, to hear, examine, and adjudicate and render judgment in any and all legal and equitable claims arising under or growing out of the treaty of February 27, 1855 (Tenth Statutes, page 1172), and the Act of February 21, 1863 (Twelfth Statutes, page 658), or arising under or growing out of any subsequent Act of Congress, Executive order, or treaty which said Winnebago Tribe of Indians, or any band thereof, may have against the United States, which claims have not heretofore been determined and adjudicated on their merits by the Court of Claims or the Supreme Court of the United States.

Time for filing suit.

SEC. 2. Any and all claims against the United States within the purview of this Act shall be forever barred unless suit be instituted or petition filed as herein provided in the Court of Claims within three years from the date of the approval of this Act, and such suit shall make the Winnebago Indians, or any band thereof, party plaintiff and the United States party defendant. The petitions shall be verified by the attorney or attorneys employed to prosecute such claim or claims under contract with said Winnebago Indians approved in accordance with existing law; and said contract shall be executed in their behalf by a committee or committees to be selected by said Winnebago Indians as hereinafter provided. Official letters, papers, documents, and records, or certified copies thereof, may be used in evidence, and the departments of the Government shall give access to the attorney or attorneys of said Winnebago Indians to such treaties, papers, correspondence, and records as they may require in the prosecution of any suit instituted under this Act.

Verification.

Evidence admitted.

Consideration of counterclaims.

SEC. 3. In said suit or suits the court shall hear, examine, and adjudicate any claims which the United States may have against said Winnebago Indians, and any payment, including gratuities, which the United States may have made to said Indians prior to the date of adjudication, shall not operate as an estoppel but may be pleaded as an offset in such suit.

Decision of court that money, etc., have been unlawfully taken, etc., confined to the value at time thereof.

SEC. 4. If it be determined by the court that the United States in violation of the terms and provisions of any law, treaty, Executive order, or agreement as provided in section 1 hereof, has unlawfully appropriated or disposed of any money or other property belonging to the Indians, the damages therefor shall be confined to the value of the money or other property at the time of such appropriation or the disposal thereof; and with reference to all claims which may be the subject matter of the suit herein authorized, the decree of the courts shall be in full settlement of all damages, if any, committed by the Government of the United States and shall annul and cancel all claim, right, and title of said Winnebago Indians in and to such money or other property.

Decree a full settlement of all claims.

Issue of process, etc.

SEC. 5. The Court of Claims shall have full authority by proper orders and process to bring in and make parties to such suit any other tribe or band of Indians deemed by it necessary or proper to the final determination of the matters in controversy.

Appearance of Attorney General directed.

SEC. 6. A copy of the petition shall, in such case, be served upon the Attorney General of the United States, and he, or some attorney

[1] Ct. Cls. Docket, No. M–421.

from the Department of Justice to be designated by him, is hereby directed to appear and defend in the interest of the United States in such case.

Attorneys' fees, etc., by decree of court.

SEC. 7. Upon final determination of such suit the Court of Claims shall have jurisdiction to fix and determine a reasonable fee, not to exceed 10 per centum of the recovery, and in any event, not more that $25,000, together with all necessary and proper expenses incurred in preparation and prosecution of the suit, to be paid to the attorneys employed by the said tribe or bands of Indians, and the same shall be included in the decree and shall be paid out of any sum or sums found to be due said tribe.

Amount of judgment to be deposited to credit of the Indians.

SEC. 8. The amount of any judgment shall be placed in the Treasury of the United States to the credit of the said Indians and shall draw interest at the rate of 4 per centum per annum and shall be thereafter subject to appropriation by Congress for educational, health, industrial, and other purposes for the benefit of said Indians, including the purchase of lands and building of homes, and no part of said judgment shall be paid out in per capita payments to said Indians. The costs incurred in any suit hereunder shall be fixed against the losing party; if against the United States such costs shall be included in the amount of the judgment or decree, and if against said Indians shall be paid by the Secretary of the Treasury out of the funds standing to their credit in the Treasury of the United States: *Provided*, That actual cost necessary to be incurred by the Winnebago Indians as required by the rules of court in the prosecution of this suit shall be paid out of the funds of the Winnebago Tribe in the Treasury of the United States.

Costs against losing party.

Proviso.
Court expenses from tribal funds.

Approved, December 17, 1928.

CHAP. 55.—Joint resolution For the relief of the Iowa Tribe of Indians

January 11, 1929.
[S. J. Res. 139.]
45 Stat., 1073.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction be conferred upon the Court of Claims to hear, determine, adjudicate, and render judgment, in the cause now pending in the Court of Claims, Docket Numbered 34677, entitled "The Iowa Tribe of Indians versus the United States of America," referred to said court by the Act of Congress, approved April 28, 1920 (Forty-first Statutes at Large, page 585), in the claim of the Iowa Tribe set forth in paragraph 6 of the amended petition filed in said court February 17, 1925, regardless of the limitation as to time for filing claims made in said Act approved April 28, 1920.[1]

Iowa Tribe of Indians.
Time for filing claims in Court of Claims extended.
41 Stat., 585, amended, vol. 4, 266.

CHAP. 70.—An Act To authorize the construction of a telephone line from Flagstaff to Kayenta on the Western Navajo Indian Reservation, Arizona

January 14, 1929.
[S. 3779.]
45 Stat., 1080.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That not more than $35,000 is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the reconstruction of the telephone line from Flagstaff to the Western Navajo Indian Agency at Tuba City, and for the construction of a continuation of said telephone line from Tuba City to the Tuberculosis Sanatorium at Kayenta, Arizona.

Western Navajo Indian Reservation, Ariz.
Sum authorized for telephone to Kayenta Tuberculosis Sanatorium on.

Approved, January 14, 1929.

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[1] 68 Ct. Cls., 585.

January 19, 1929.
[H. R. 13744.]
45 Stat., 1091.

CHAP. 87.—An Act To provide for the acquisition by Parker I-See-O Post Numbered 12, All American Indian Legion, Lawton, Oklahoma, of the east half northeast quarter northeast quarter northwest quarter of section 20, township 2 north, range 11 west, Indian meridian, in Comanche County, Oklahoma

Public lands.
Granted for post building to Parker I-See-O Post, All American Indian Legion, Lawton, Okla.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to cause a patent to issue to Edward Clark, Charles Apekaum, Calvin Atchavit, Frank Methvin, and William Tracypokendooah as trustees of Parker I-See-O Post Numbered 12, of the All American Indian Legion, Lawton, Oklahoma, and to their successors, for the east half northeast quarter northeast quarter northwest quarter of section 20, township 2 north, range 11 west of the Indian meridian, situate in Comanche County, Oklahoma: *Provided, however*, That said patent shall be issued upon the express condition that Parker I-See-O Post Numbered 12, All American Indian Legion, Lawton, Oklahoma, shall erect a post building upon said tract within five years after the approval of this Act: *Provided further*, That whenever said tract shall no longer be used as a site for a post building for said Parker I-See-O Post that title shall revert to the United States.

Provisos.
Building must be built in five years.

Forfeiture for nonuser.

Approved, January 19, 1929.

January 25, 1929.
[S. 4488.]
45 Stat., 1094.

CHAP. 101.—An Act Declaring the purpose of Congress in passing the Act of June 2, 1924 (Forty-third Statutes, page 253), to confer full citizenship upon the Eastern Band of Cherokee Indians, and further declaring that it was not the purpose of Congress in passing the Act of June 4, 1924 (Forty-third Statutes, page 376), to repeal, abridge, or modify the provisions of the former Act as to the citizenship of said Indians

Eastern Band of Cherokee Indians, N. C.
Citizenship of, confirmed.
43 Stat., 376, vol. 4, 422.
43 Stat., 253, vol. 4, 420.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it was not the purpose of Congress when passing the Act of June 4, 1924 (Forty-third Statutes, page 376), to repeal, amend, modify, or abridge the provisions of the Act of June 2, 1924 (Forty-third Statutes, page 253), entitled "An Act to authorize the Secretary of the Interior to issue certificates of citizenship to Indians," which conferred full citizenship upon the Indians composing the Eastern Band of Cherokee Indians, located in the State of North Carolina, and that the citizenship of said Indians be and is hereby confirmed.

Approved, January 25, 1929.

January 25, 1929.
[H. R. 15569.]
45 Stat., 1094.

CHAP. 102.—An Act Making appropriations for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1930, and for other purposes

Appropriations for Departments of State and Justice, the Judiciary, and Departments of Commerce and Labor, fiscal year 1930.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1930, namely:

* * * * * * *

TITLE II.—DEPARTMENT OF JUSTICE

Department of Justice.

* * * * * * *

MISCELLANEOUS OBJECTS, DEPARTMENT OF JUSTICE

Miscellaneous.

* * * * * * *

Defending suits in claims against the United States: For necessary expenses incurred in the examination of witnesses, procuring evidence, employment of experts at such rates of compensation as may be authorized or approved by the Attorney General, and such other expenses as may be necessary in defending suits in the Court of Claims, including Indian depredation claims, to be expended under the direction of the Attorney General, $80,000.

Defending suits in claims.

Indian depredation claims.

* * * * * * *

Approved, January 25, 1929.

CHAP. 145.—An Act To authorize the city of Niobrara, Nebraska, to transfer Niobrara Island to the State of Nebraska

February 4, 1929.
[S. 4979.]
45 Stat., 1147.

Be it enacted by the Senate and House of Representatives of the United *States of America in Congress assembled*, That the consent of the United States is hereby granted to the city of Niobrara, Nebraska, to transfer to the State of Nebraska all the rights, title, and interest of such city in and to Niobrara Island, an island in the Niobrara River, if the State of Nebraska, before the expiration of five years from the date of the enactment of this Act, formally accepts such island subject to the same conditions (except the condition as to time of acceptance) as are imposed by section 21 of the Act 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," approved March 2, 1889, in respect of the donation to the city of Niobrara of such island.

Niobrara Island.
Transfer of, from city of Niobrara to Nebraska, consented to.

Conditions.

25 Stat., 897, vol. 1, 328.

Approved, February 4, 1929.

CHAP. 161.—An Act To amend section 3 of Public Act Numbered 230 (Thirty-seventh Statutes at Large, page 194)

February 7, 1929.
[H. R. 13507.]
45 Stat., 1155.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second paragraph of section 3 of Public Act Numbered 230 (Thirty-seventh Statutes at Large, page 194), approved July 19, 1912, being an Act to provide for the payment of drainage assessments on Indian lands in Oklahoma, be, and the same is hereby, amended to read as follows:

Oklahoma.
Drainage assessments on Indian restricted lands in.

"That the Secretary of the Interior is hereby authorized, in his discretion, to approve the assessments, together with right-of-way maps, upon all other restricted Indian allotments situated within any drainage district located within and organized under the laws of the State of Oklahoma: *Provided*, That the limitation prescribed in section 2 hereof that no assessment shall exceed the sum of $15 per acre on any allotment or portion thereof shall not apply to assess-

Approval of, upon allotments in any drainage district.

37 Stat., 195, amended; vol. 3, 525.

Provisos.
Limitation on assessment payment, not applicable.

Payment authorized of assessments in Little River drainage district.

ments approved hereunder: *Provided further*, That for the purpose of paying such assessments approved by the Secretary of the Interior March 21, 1928, against restricted lands within the Little River drainage district Numbered 2, Cleveland County, Oklahoma, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $2,720.94, to be reimbursable as provided in section 2 of this Act."

Approved, February 7, 1929.

February 9, 1929.
[S. 4036.]
45 Stat., 1158.

CHAP. 166.—An Act To authorize the Secretary of War to transfer the control of certain land in Oregon to the Secretary of the Interior

Columbia River, Oreg.
Lands connected with improvements of, transferred for Indian fishing camp site.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to transfer to the control of the Secretary of the Interior, for the use and benefit of certain Indians now using and occupying the land as a fishing camp site two irregular shaped parcels of land containing in the aggregate approximately seven and four-tenths acres, located in lot 1 of section 17 and in lots 1 and 2 of section 20, township 2 north, range 15 east, Willamette meridian, Oregon, originally acquired by the United States as a right of way for a projected boat railway in connection with the improvements of The Dalles-Celilo section of the Columbia River: *Provided*, That a strip forty feet wide be reserved from such transfer for a roadway connection between the lock keeper's grounds at Celilo and the Columbia River Highway.[1]

Proviso.
Strip reserved for roadway to Columbia River Highway.

Approved, February 9, 1929.

February 11, 1929.
[S. 5146.]
45 Stat., 1161.

CHAP. 174.—An Act To reserve certain lands on the public domain in Santa Fe County, New Mexico, for the use and benefit of the Indians of the San Ildefonso Pueblo

Public lands.
Tract reserved for San Ildefonso Pueblo Indians, N. Mex.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the vacant, unappropriated, and undisposed of lands within the unsurveyed area in township 19 north, range 7 east, New Mexico principal meridian, New Mexico, identified as a narrow strip, a little more than one and one-half miles wide and four miles long, running north and south, lying between the western boundary of the San Ildefonso Pueblo grant on the east and the eastern boundary of a portion of the Santa Fe National Forest on the west, be and they are hereby reserved for the sole use and benefit of the Indians of the San Ildefonso Pueblo: *Provided*, That the rights and claims of any bona fide settler initiated under the public land laws prior to July 27, 1928, the date of withdrawal of the lands from all forms of entry, shall not be affected by this Act.

Proviso.
Rights of bona fide settlers not affected.

Approved, February 11, 1929.

February 11, 1929.
[S. 5147.]
45 Stat., 1161.

CHAP. 175.—An Act To reserve nine hundred and twenty acres on the public domain for the use and benefit of the Kanosh Band of Indians residing in the vicinity of Kanosh, Utah

Public lands.
Reserved for Kanosh Band of Indians, Utah.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That nine hundred and twenty acres of land described as the east half west half, west

[1] 54 I. D. D. 419.

half southwest quarter section 1; east half southwest quarter section 10; northeast quarter section 11; southeast quarter northwest quarter section 12; southwest quarter section 23; east half east half, west half southwest quarter section 27; all in township 23 south, range 5 west, Salt Lake meridian, Utah, be and the same is hereby reserved for the sole use and occupancy of the Kanosh Band of Indians in Utah: *Provided*, That the rights and claims of any bona fide settler initiated under the public land laws prior to October 27, 1928, the date of withdrawal of lands, from all form of entry, shall not be affected by this Act.

Proviso.
Rights of bona fide settlers not affected.

Approved, February 11, 1929.

CHAP. 178.—An Act To authorize the payment of interest on certain funds held in trust by the United States for Indian tribes

February 12, 1929.
[S. 5180.]
45 Stat., 1164.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all money in excess of $500 held by the United States in a trust fund account, and carried on the books of the Treasury Department to the credit of an Indian tribe, if the payment of interest thereon is not otherwise authorized by law, shall bear simple interest at the rate of 4 per centum per annum from the date of the passage of this Act. The amount held in any such trust fund account, which in the judgment of the Secretary of the Interior may not be required for payment in accordance with law, shall be covered into the surplus fund of the Treasury; but so much thereof as may be necessary for making any such payment may, at any time thereafter, be restored to such account without reappropriation by Congress.[1]

Indian trust funds.
Interest rate on, established.

Amount not required for payments covered into the Treasury.

Approved, February 12, 1929.

CHAP. 183.—An Act Reinvesting title to certain lands in the Yankton Sioux Tribe of Indians

February 13, 1929.
[S. 2792.]
45 Stat., 1167.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all claim, right, title, and interest in and to certain lands on the Yankton Sioux Indian Reservation in the State of South Dakota, now reserved for agency, schools, and other purposes (embracing one thousand acres, more or less) pursuant to the Act of Congress dated August 15, 1894 (Twenty-eighth Statute, page 286), be, and is hereby, reinvested in the Yankton Sioux Tribe of Indians when they are no longer required for agency, school, and other purposes: *Provided, however*, That this Act shall not be construed to make any such land available for allotment purposes.

Yankton Sioux Indians, S. Dak.
Agency, etc., lands of, revested in the Tribe.
28 Stat., 316, vol. 1, 525.

Proviso.
Not available for allotments.

Approved, February 13, 1929.

CHAP. 216.—An Act Authorizing representatives of the several States to make certain inspections and to investigate State sanitary and health regulations and school attendance on Indian reservations, Indian tribal lands, and Indian allotments

February 15, 1929.
[H. R. 15523.]
45 Stat., 1185.

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 shall permit the agents and employees of any State to enter upon Indian tribal lands, reservations, or allotments therein

Indians lands.
State agents may enter upon, for investigating health conditions, school attendance, etc.

[1] 8 Comp. Gen. Dec., 625.

for the purpose of making inspection of health and educational conditions and enforcing sanitation and quarantine regulations or to enforce compulsory school attendance of Indian pupils, as provided by the law of the State, under such rules, regulations, and conditions as the Secretary of the Interior may prescribe.[1]

Approved, February 15, 1929.

February 15, 1929.
[H. R. 16527.]
45 Stat., 1186.

CHAP. 218.—An Act To authorize the Secretary of the Interior to purchase land for the Alabama and Coushatta Indians of Texas, subject to certain mineral and timber interests.

Alabama and Coushatta Indians.
Lands purchased for, in Texas, subject to mineral and timber reservations.
45 Stat., 900.
Ante, 59.
Proviso.
Title of grantors.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in purchasing land for the Alabama and Coushatta Indians of Texas, as authorized by the Act of May 29, 1928 (Forty-fifth Statutes, pages 883–900), the Secretary of the Interior is hereby authorized, in his discretion, to accept title thereto subject to mineral interests and to existing contracts for sale of timber: *Provided*, That a good and sufficient title is otherwise found to be in the grantors.

Approved, February 15, 1929.

February 19, 1929
[H. R. 15092]
45 Stat., 1229.

CHAP. 267.—An Act To authorize an appropriation to pay half the cost of a bridge near the Soboba Indian Reservation, California

Soboba Indian Reservation, Calif.
Sum authorized for half cost of bridge across San Jacinto River near.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an appropriation of $11,000 is hereby authorized, out of any money in the Treasury not otherwise appropriated, to pay not to exceed half the cost of the construction of a bridge and approaches thereto across the San Jacinto River near the Soboba Indian Reservation in the State of California, including the cost of surveys, plans, estimates, and specifications, and other necessary expenses connected therewith, on condition that the State of California or the county of Riverside provide the remainder of the cost, and under rules and regulations prescribed by the Secretary of the Interior, who shall also approve the plans and specifications therefor: *Provided*, That before any money is spent hereunder the State or county shall agree in writing to maintain the bridge and approaches without expense to the United States or the Indians.

Remainder by California or Riverside County.

Proviso.
Maintenance by State, etc., required.

Approved, February 19, 1929.

February 19, 1929.
[H. J. Res. 343.]
45 Stat., 1229.

CHAP. 268.—Joint Resolution Authorizing an extension of time within which suits may be instituted on behalf of the Cherokee Indians, the Seminole Indians, the Creek Indians, and the Choctaw and Chickasaw Indians to June 30, 1930, and for other purposes

Five Civilized Tribes.
Time extended for filing suits of, in Court of Claims.
Cherokees.
43 Stat., 27, vol. 4, 403.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the time within which suits may be instituted under the Act of Congress approved March 19, 1924, entitled "An Act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Cherokee Indians may have against the United States, and for other purposes"; the Act of Congress approved May 20,

[1] 55 I. D. D., 436; 56 I. D. D., 39.

1924, entitled "An Act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Seminole Indians may have against the United States, and for other purposes"; the Act of Congress approved May 24, 1924, entitled "An Act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Creek Indians may have against the United States, and for other purposes"; and the Act of Congress approved June 7, 1924, entitled "An Act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Choctaw and Chickasaw Indians may have against the United States, and for other purposes," shall be extended to June 30, 1930, to permit each Indian nation or tribe mentioned in said Acts of Congress to institute suits as provided in said Acts and the joint resolution approved May 19, 1926 (Public Resolution Numbered 27, Sixty-ninth Congress).[1]

Seminoles.
43 Stat., 133, vol. 4, 414.

Creeks.
43 Stat., 139, vol. 4, 416.

Choctaws and Chickasaws.
43 Stat., 537, vol. 4, 450.

44 Stat., 568, vol. 4 550.

Approved, February 19, 1929.

CHAP. 270.—An Act Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1930, and for other purposes.

February 20, 1929.
[H. R. 16301.]
45 Stat., 1230.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1930, namely:

Independent Offices Act, 1929.
Appropriations for fiscal year 1930.

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SMITHSONIAN INSTITUTION

Smithsonian Institution.

* * * * * * *

American ethnology: For continuing ethnological researches among the American Indians and the natives of Hawaii, the excavation and preservation of archaelogic remains under the direction of the Smithsonian Institution, including necessary employees, the preparation of manuscripts, drawings, and illustrations, the purchase of books and periodicals, and traveling expenses, $68,800.

American ethnology.

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Approved, February 20, 1929.

CHAP. 275.—Act For the relief of the Nez Perce Tribe of Indians

February 20, 1929.
[H. R. 12520.]
45 Stat., 1249.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred on the Court of Claims, with the right of appeal by either party to the Supreme Court of the United States, notwithstanding lapse of time or statutes of limitation, to hear, determine, adjudicate, and render final judgment on all legal and equitable claims of whatsoever nature of the Nez Perce Tribe of Indians in Idaho, or of any band thereof, against the United States, arising under or growing out of the original Indian title, claim, or rights of the said Indian tribe or any band thereof, including all title,

Nez Perce Indians, Idaho.
Claims of, to be adjudicated in Court of Claims.

[1] 299 U. S., 419; 75 Ct. Cls., 426; 77 Ct. Cls., 229; 78 Ct. Cls., 474; 82 Ct. Cls., 138, 458; 83 Ct. Cls., 140; 87 Ct. Cls., 91.

12 Stat., 957, vol. 2, 702; 14 Stat., 647, vol. 2, 843; 28 Stat., 326, vol. 1,536.

claim, or rights growing out of treaties of June 11, 1855 (Twelfth Statutes, page 957), and June 9, 1863 (One hundred and forty-eighth Statutes, page 673, 14 Stat., 647—citation is wrong; see margin—), and an agreement of May 1, 1893, approved by Act of Congress of August 15, 1894 (Twenty-eighth Statutes, page 286), with the said Nez Perce Tribe or bands of Indians, in connection with the Nez Perce Indian Reservation in the States of Idaho and Oregon, and more particularly as to the following claims:

Claims specified.

Reserved lands sold and no compensation to Indians.

1. Claim for compensation for that part of the Old Agency land and improvements near Fort Lapwai, Idaho, reserved from sale by the agreement of May 1, 1893, between the United States and the Nez Perce Tribe of Indians (Twenty-eighth Statutes, page 286), and thereafter disposed of by the United States without compensation to said Indians and described as follows:

28 Stat., 326, vol. 1, 536.

Description.

"Commencing at a point at the margin of Clearwater River on the south side thereof, which is three hundred yards below where the middle thread of Lapwai Creek empties into said river, run thence up the margin of said Clearwater River, at low-water mark, nine hundred yards to a point, run thence south two hundred and fifty yards to a point, thence southwesterly in a line to the southeast corner of a stone building partly finished as a church, thence west three hundred yards to a point, thence from said point northerly in a straight line to the point of beginning."

Lands not ceded, and erroneous per capita payments.

2. Claim for certain lands included in canceled allotments within said Nez Perce Indian Reservation in Idaho and thereafter disposed of by the United States, said lands not being included in the area ceded by said treaties or said agreement of May 1, 1893 (Twenty-eighth Statutes, page 286), to the United States and also certain erroneous per capita payments out of the amount appropriated by Congress in payment for lands ceded to the United States under the said agreement of May 1, 1893 (Twenty-eighth Statutes, page 286).

28 Stat., 329, vol. 1, 536.

Gold mined on Reservation before cession.

3. Claim for gold mined and removed by white men, without authority and in trespass, from the Nez Perce Indian Reservation lands in Idaho prior to the treaty of June 9, 1863, and its approval or ratification by the Senate on April 17, 1867 (Fourteenth Statutes, page 647), ceding such lands to the United States, such claim, in any event, not to exceed one-eighth of the amount of gold so mined and removed: *Provided*, That this Act shall not be construed as creating any rights which may be made the basis of a legal or equitable cause of action but shall only authorize the said Nez Perce Tribe of Indians to present to the United States Court of Claims for adjudication such legal rights and claims, if any, which may exist under the treaties and agreements mentioned in this Act.

14 Stat., 647, vol. 2, 843.

Proviso.
Restricted action of Act.

Time for filing.

SEC. 2. Any and all claims against the United States within the purview of this Act shall be forever barred unless suit or suits be instituted or petition, subject to amendment, be filed in the Court of Claims within five years from the date of this Act, and in any such suit or suits said Nez Perce Tribe of Indians, or any band thereof, shall be party or parties plaintiff and the United States shall be the party defendant. The petition of the said Indians shall be verified by the attorney or attorneys employed to prosecute such claim or claims, under contract with the Indians, approved in accordance with existing law, upon information and belief as to the facts therein alleged and no other verification shall be necessary. Official letters, papers, documents, records, maps, historical works, and affidavits in official files, or certified copies thereof, may be used in evidence and the departments of the Government shall give access to the attorney

Verification, etc.

Evidence admitted.

or attorneys of said Indians to such treaties, papers, maps, correspondence, reports, documents, or affidavits as they may require in the prosecution of any suit or suits instituted under this Act.

SEC. 3. In the said suit or suits the court shall also hear, examine, consider, and adjudicate any claims which the United States may have against the said Indian tribe, or bands thereof, or any of them, and any payment or payments which have been made by the United States upon any such claim or claims shall not operate as an estoppel, but may be pleaded as an offset in such suit or suits, as may gratuities, if any, paid to or expended for said Indian tribes or bands, or any of them.

Counterclaims, etc., to be considered.

SEC. 4. Any bands of Indians associated with the Nez Perce Tribe deemed necessary to a final determination of any suit or suits brought hereunder may be joined therein as the court may order: *Provided*, That upon final determination of the court of any such suit or suits the Court of Claims shall have jurisdiction to fix and determine a reasonable fee not to exceed 10 per centum of the amount recovered, or in the event of any compromise settlement and adjustment of any of the foregoing claims by the Commissioner of Indian Affairs and the Secretary of the Interior, then such officers shall have jurisdiction to fix and determine a reasonable fee not to exceed 10 per centum of the amount secured in such settlement or adjustment, to be paid to the attorney or attorneys employed as herein provided, and such fees shall be paid out of any sum or sums adjudged to be due said tribe or bands, or any of them, and the balance of such sum or sums shall be placed in the Treasury of the United States to the credit of such tribes or bands where it shall draw interest at the rate of 4 per centum per annum. The amount of any judgment shall be placed in the Treasury of the United States to the credit of the Nez Perce Tribe of Indians and shall draw interest at the rate of 4 per centum per annum and shall be thereafter subject to appropriation by Congress for educational, health, industrial, and other purposes for the benefit of said Indians, including the purchase of land and building of homes, and no part of said judgment shall be paid out in per capita payments to said Indians.[1]

Joining of other bands.

Proviso.
Attorneys' fees, etc., by decree of court.

In case of compromise.

Amount of judgment to credit of Indians with interest at 4 per cent.

No per capita payments allowed.

Approved, February 20, 1929.

CHAP. 279.—An Act Authorizing the Secretary of the Interior to settle claims by agreement arising under operation of Indian irrigation projects

February 20, 1929.
[H. R. 13977.]
45 Stat., 1252.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to pay out of funds available for the Indian irrigation projects for damages caused to owners of lands or other private property of any kind by reason of the operations of the United States, its officers or employees, in the survey, construction, operation, or maintenance of irrigation works of such projects and which may be compromised by agreement between the claimant and the Secretary of the Interior, of such officers as he may designate: *Provided*, That the total of any such claims authorized to be settled as herein contemplated shall not exceed 5 per centum of the funds available for the project under which such claims arise during any one fiscal year.[2]

Indian irrigation projects.
Payment from funds of, for damages to private property by construction, etc.

Proviso.
Limit of amount.

Approved, February 20, 1929.

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[1] Ct. Cls. Docket, No. K–107; No. L–194.
[2] 53 I. D. D., 399.

February 23, 1929.
[H. R. 13692.]
45 Stat., 1256.

CHAP. 300.—An Act Authorizing the Coos (Kowes) Bay, Lower Umpqua (Kalawatset), and Siuslaw Tribes of Indians of the State of Oregon to present their claims to the Court of Claims [1]

Coos Bay, Lower Umpqua, and Siuslaw Indians, Oreg.
Claims of, against United States, submitted to Court of Claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred on the Court of Claims to hear, examine, adjudicate, and render final judgment in any and all legal and equitable claims of the Coos (or Kowes) Bay, Lower Umpqua (or Kalawatset), and Siuslaw Indian Tribes of the State of Oregon against the United States arising under or growing out of the original Indian title, claim, or rights of the said tribes (with whom no treaty has been made), in, to, or upon the whole or any part of the lands and their appurtenances occupied by said tribes in 1848 and long prior thereto, and embraced within the following description, to wit:

Description of lands affected.

Beginning at a point of rocks, known as Five Mile Point, in section 19, township 27 south of range 14 west of the Willamette meridian, Coos County, Oregon; and running thence north along the coast of Oregon, to the mouth of a creek, known as Ten Mile Creek, in section 27, township 15 south, range 12 west, Lane County, Oregon; thence east on the watershed between the waters of the Alsea and the Siuslaw Rivers to the summit of the Coast Range Mountains in township 26 south, range 7 west; thence in a southeasterly direction along the summit of said mountains, the same being the southwest boundary of the lands ceded by the Calapooia and Willamette Tribes of Indians to the junction of the Calapooia Range, near the headwaters of the Siuslaw River, in township 21 south, range 4 west; thence in a westerly direction following the summit of the ridge between the waters of the Smith and the Umpqua Rivers, the same being the north boundary of the lands ceded by the Umpqua and the Calapooia Indians, to a point due north of the head of tidewater on the Umpqua River; thence south across the Umpqua River to the summit of the mountains dividing the waters of Camp Creek from the waters of the Umpqua River, the same being the west boundary of the lands ceded by the Umpqua and Calapooia Indians; thence in a southeasterly direction along the summit of the Coast Range Mountains, following the southwest boundary of the lands ceeded by the Umpqua and the Calapooia Indians, to the summit of the divide separating the waters of Looking Glass Creek from the waters of the South Fork of Coos River in township 27 south, range 8 west, Douglas County, Oregon; thence west to the point of beginning, which lands and the appurtenances thereunto belonging, including, among other things, claimants' original means of securing a living thereon and therefrom by hunting, fishing, and otherwise, the said tribes claim were taken from them, and appropriated by the United States to its own use, in or about the year 1855, without any treaty cession or agreement, and without compensation to the tribes therefor.

Jurisdiction of Court.

SEC. 2. In any suit instituted hereunder the Court of Claims shall have authority to determine and adjudge the rights, both legal and equitable, of the claimants in the premises, notwithstanding lapse of time or statutes of limitation; and the right of appeal to the Supreme Court of the United States is hereby granted to both parties.

Counterclaims to be considered.

SEC. 3. The court shall also hear, examine, consider, and adjudicate any claim or claims, including gratuities, which the United States may have against the said tribes properly chargeable in such suit; but any payment or payments which have been made by the United States upon any claim or claims of the tribes shall not operate as an estoppel but may be pleaded by way of set-off; and any other tribes or bands of

[1] 87 Ct. Cls., 143; 306 U. S., 653.

Indians which the court may deem necessary to a final determination of such suits may be joined therein as the court may order.

Determination by Court of value of unceded lands taken.

SEC. 4. If in any suit instituted hereunder for the value of unceded lands taken, sold, or disposed of by the United States it be determined by the court that the Indians are entitled to recover judgment, the price of such lands shall be limited to $1.25 an acre, except as to any tracts that have been actually sold or disposed of under laws enacted by Congress establishing higher prices; in which case the court may be governed by the latter prices.

Time for filing petition.

SEC. 5. Any and all claims against the United States within the purview of this Act shall be forever barred unless suit be instituted or petition, subject to amendment, filed as herein provided in the Court of Claims within five years from the date of the approval of this Act; and such suit or suits shall make the Coos (Kowes) Bay, Lower Umpqua (Kalawatset), and Siuslaw Tribes of Indians of the State of Oregon party or parties plaintiff and the United States party defendant.

Parties to suit.

Verification.

The petition shall be verified by the attorney or attorneys employed to prosecute such claim or claims under contract with the Indians approved in accordance with existing law.

Evidence admitted.

Official letters, papers, documents, maps and records, or certified copies thereof, may be used in evidence, and the departments of the Government shall give to the attorney or attorneys so employed access to such treaties, papers, maps, correspondence and reports as they may require in the preparation or prosecution of any suit or suits instituted hereunder.

Attorneys fees to be included in decree.

SEC. 6. Upon final determination of such suit or suits the Court of Claims shall have jurisdiction to fix and determine a reasonable fee, not to exceed 10 per centum of the recovery, together with all necessary and proper expenses incurred in the preparation and prosecution of such suit or suits, to be paid to the attorney or attorneys employed, as herein provided, by the said tribes, and the same shall be included in the decree, and be paid out of any sum or sums adjudged to be due, the balance to be placed in the Treasury of the United States, to the credit of said tribes, where the money shall draw interest at the rate of 4 per centum per annum until paid and shall be thereafter subject to appropriation by Congress for educational, health, industrial, and other purposes for the benefit of said Indians, including the purchase of lands and building of homes, and no part of said judgment shall be paid out in per capita payments to said Indians.

Balance to credit of Indians for their benefit.

No per capita payment.

Approved, February 23, 1929.

CHAP. 302.—An Act To amend and further extend the benefits of the Act approved March 3, 1925, entitled "An Act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any and all claims, of whatever nature, which the Kansas or Kaw Tribe of Indians may have or claim to have against the United States, and for other purposes" [1]

February 23, 1929.
[H. R. 8901.]
45 Stat., 1258.

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 conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any and all claims, of whatever nature, which the Kansas or Kaw Tribe of Indians may have or claim to have against the United States, and for other purposes" approved March 3, 1925 (Forty-third Statutes at Large, page

Kansas or Kaw Indians.
43 Stat., 1133 amended, vol. 4, 485.

[1] 80 Ct. Cls., 264.

1133), be, and the same is hereby, amended and reenacted so as to read as follows:

Claims of, against United States, to be adjudicated by Court of Claims.

"SECTION 1. That jurisdiction be, and is hereby, conferred upon the Court of Claims, notwithstanding the lapse of time or statutes of limitation, to hear, examine, adjudicate, and render judgment in any and all legal and equitable claims which said Kansas or Kaw Tribe of Indians may have or claim to have against the United States, growing out of or arising under any treaty or agreement between the United States and the Kansas or Kaw Tribe of Indians, or arising under or growing out of any Act of Congress in relation to Indian affairs, which claims have not heretofore been determined and adjudicated on their merits by the Court of Claims or the Supreme Court of the United States.

Time for filing.

"SEC. 2. Any and all claims against the United States within the purview of this Act shall be forever barred unless suit be instituted or petition filed, as herein provided, in the Court of Claims within three years from the date of approval of this Act, and such suit shall be prosecuted in the name of said Kansas or Kaw Tribe of Indians as plaintiff, upon petition numbered F–64, now filed in the Court of Claims and any amendment thereto that may be necessary under the provisions of this Act, and all the evidence and proceedings filed in said case numbered F–64 shall be received and accepted by the court to the same extent as though filed anew in the suit or amendment filed under this Act. Official letters, papers, documents, and records, or certified copies thereof, may be used in evidence, and the departments of the Government shall give access to the attorneys of said Kansas or Kaw Tribe of Indians to such treaties, papers, correspondence, or records as may be needed by the attorneys of the Kansas or Kaw Tribe of Indians.

Evidence admitted.

Counter claims allowed.

"SEC. 3. In said suit, the court shall also hear, examine, consider, and adjudicate any claims which the United States may have against said Kansas or Kaw Tribe of Indians, but any payment, including gratuities, which may have been made by the United States, upon any claims against the United States, shall not operate as an estoppel, but may be pleaded as an offset in such suit.

Appeal to Supreme Court.

"SEC. 4. That from the decision of the Court of Claims in any suit prosecuted under the authority of this Act, an appeal or other appropriate proceeding may be taken by either party as in other cases to the Supreme Court of the United States.

Attorneys' fees by decree of court.

"SEC. 5. That upon the final determination of any suit instituted under this Act, the Court of Claims shall decree such amount or amounts as it may find reasonable to be paid the said attorneys of the Kansas or Kaw Tribe of Indians for their services and expenses as said attorneys: *Provided*, That in no case shall the aggregate amounts decreed by said Court of Claims for fees be in excess of a sum equal to 10 per centum of the amount of recovery against the United States. The amount of any judgment, after payment of such fees and expenses, shall be placed in the Treasury of the United States to the credit of the Kansas or Kaw Tribe of Indians and shall draw interest at the rate of 4 per centum per annum and shall be thereafter subject to appropriation by Congress for educational, health, industrial, and other purposes for the benefit of said Indians, including the purchase of lands and building of homes, and no part of said judgment shall be paid out in per capita payments to said Indians.

Proviso. Limitation.

Balance to credit of Indians for their benefit.

No per capita payment.

Joining of others, Indians, etc., as parties.

"SEC. 6. The Court of Claims shall have full authority by proper order and process to bring in and make parties to such suit any or all persons or tribes or bands of Indians deemed by it necessary or proper to the final determination of the matters in controversy.

"SEC. 7. A copy of the petition shall, in such case, be served upon the Attorney General of the United States, and he, or some attorney from the Department of Justice to be designated by him, is hereby directed to appear and defend the interests of the United States in such case."

Notice to Attorney General.

Approved, February 23, 1929.

CHAP. 323.—An Act To repeal that portion of the Act of August 24, 1912, imposing a limit on agency salaries of the Indian Service

February 26, 1928.
[H. R. 16568.]
45 Stat., 1307.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provision in the Act of August 24, 1912 (Thirty-seventh Statutes at Large, page 521; United States Code, title 25, page 692, section 58), imposing a limitation of $15,000 on the amount which may be paid for salaries at any one Indian agency and $20,000 at a consolidated agency, be, and the same is hereby, repealed.

Indian agencies.
Salary limitations at, repealed.
37 Stat., 521, repealed. vol. 3, 532.
U. S. Code, p. 692.

Approved, February 26, 1929.

CHAP. 359.—An Act Authorizing the Federal Power Commission to issue permits and licenses on Fort Apache and White Mountain Indian Reservations, Arizona

February 28, 1929.
[S. 3770.]
45 Stat., 1344.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Power Commission is hereby authorized, in its discretion, to issue permits and licenses in accordance with the Federal Water Power Act for the development of hydroelectric power on Salt River within the Fort Apache and the White Mountain or San Carlos Indian Reservations, Arizona.

Fort Apache and White Mountain Indian Reservation, Ariz.
Water power permits may be issued on Salt River within.

Approved, February 28, 1929.

CHAP. 377.—An Act Conferring jurisdiction upon the Court of Claims to hear, adjudicate, and render judgment in claims which the northwestern bands of Shoshone Indians may have against the United States [1]

February 28, 1929.
[S. 710.]
45 Stat., 1407.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction be, and hereby is, conferred upon the Court of Claims, notwithstanding lapse of time or statutes of limitations, to hear, adjudicate, and render judgment in any and all claims which the northwestern bands of Shoshone Indians may have against the United States arising under or growing out of the treaty of July 2, 1863 (Eighteenth Statutes, page 685–2 Kappler, 848); treaty of July 30, 1863 (Thirteenth Statutes, page 863 (663)–2 Kappler, 850); Act of Congress approved December 15, 1874 (Eighteenth Statutes, page 291), and any subsequent treaty Act of Congress, or Executive order, which claims have not heretofore been determined and adjudicated on their merits by the Court of Claims or the Supreme Court of the United States.

Shoshone Indians.
Claims of northwestern bands of, submitted to Court of Claims.
18 Stat., 685, vol. 2, 848; 13 Stat., 663, vol. 2, 850.
18 Stat., 291, vol. 1, 153.

SEC. 2. That any and all claims against the United States within the purview of this Act shall be forever barred unless suit be instituted or petition filed as herein provided in the Court of Claims within five years from the date of the approval of this Act; and

Time for filing.

[1] Ct. Cls. Docket No. M–107.

Verification.

such suit shall make the northwestern bands of Shoshone Indians party plaintiff and the United States party defendant. The petition shall be verified by the attorney or attorneys employed to prosecute such claims under contract with the northwestern bands of Shoshone Indians, approved by the Commissioner of Indian Affairs and the Secretary of the Interior as provided by law. Official letters, papers, documents, and records, or certified copies thereof, may be used in evidence, and the departments of the Government shall give access to the attorney or attorneys for said Indians to such treaties, papers, correspondence, or records as may be needed by the attorney or attorneys for said Indians.

Evidence admitted.

Counterclaims admitted.

SEC. 3. That in said suit the Court of Claims shall also hear, examine, consider, and adjudicate all claims which the United States may have against the said northwestern bands of Shoshone Indians. Any payment which may have been made by the United States, including gratuities for the benefit of any band or bands of said Indians or for their support and civilization, shall not operate as an estoppel, but may be pleaded as a set-off in said suit.

Set-offs, etc.

Appeals allowed.

SEC. 4. That from the decision of the Court of Claims in any suit prosecuted under the authority of this Act an appeal may be taken by either party, as in other cases, to the Supreme Court of the United States.

Issue of process.

SEC. 5. The Court of Claims shall have full authority by proper process and orders to bring in and make parties to such suit any and all persons deemed by it necessary or proper to the final determination of the matters in controversy.

Appearance of Attorney General directed.

SEC. 6. A copy of the petition shall, in such case, be served upon the Attorney General of the United States, and he or some attorney from the Department of Justice to be designated by him is hereby directed to appear and defend the interests of the United States in such case.

Fees, etc., to be included in decree.

SEC. 7. Upon final determination of such suit or suits the Court of Claims shall have jurisdiction to fix and determine a reasonable fee, not to exceed 10 per centum of the recovery, together with all necessary and proper expenses incurred in preparation and prosecution of the suit, to be paid to the attorney or attorneys employed by said northwestern bands of Shoshone Indians, or any of them, and the same shall be included in the decree and shall be paid out of any sum or sums found to be due said bands.

Amounts recovered to be deposited to credit of the Indians.

SEC. 8. The balance of the proceeds of all amounts, if any, recovered for said northwestern bands of Shoshone Indians shall be deposited in the Treasury of the United States to the credit of the Indians decreed by said court to be entitled thereto, and shall draw interest at the rate of 4 per centum per annum from the date of the judgment or decree and shall be subject to appropriation by Congress only for the health, education, and industrial advancement of said Indians.

Use limited.

Approved, February 28, 1929.

March 1, 1929.
[S. 4517.]
45 Stat., 1439.

CHAP. 440.—An Act Authorizing the appropriation of tribal funds of Indians residing on the Klamath Reservation, Oregon, to pay expenses of the general council and business committee, and for other purposes

Klamath Indian Reservation, Oreg.
Sum authorized from tribal funds, to pay expenses of General Council, etc., in maintaining tribal organization, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of $10,000, or so much thereof as may be necessary, of the tribal funds of the Indians residing on the Klamath Reservation in the State of Oregon, namely the Klamath and Modoc Tribes and the Yahooskin Band of Snake Indians, is hereby appropriated to pay the expenses

of the General Council and Business Committee (or so-called tribal council) of the said Indians, in organizing and holding councils, conducting tribal elections, maintaining their tribal organization, and generally looking after the affairs of the said tribes, including, among other things, the actual and necessary expenses of its delegation, or legislative committee, in visiting Washington during the second session of the Seventieth Congress or any succeeding Congress; also the expenses incurred, and to be incurred, by the tribal delegation of said Indians in procuring evidence and taking testimony to be used in connection with the three suits instituted by the said Indians against the United States and now pending in the Court of Claims; said sum to be immediately available, and said expenses to be approved by the said business committee and the Commissioner of Indian Affairs and certified to the Secretary of the Interior, and, if so approved and certified, to be paid.

Visit of delegation to Washington, etc.

Procuring evidence in pending suits, etc.

Approved, March 1, 1929.

CHAP. 493.—An Act Relating to the tribal and individual affairs of the Osage Indians of Oklahoma [1]

March 2, 1929.
[S. 2360.]
45 Stat., 1478.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of Congress of March 3, 1921 (Forty-first Statutes at Large, page 1249), relating to the Osage Indians of Oklahoma, be, and the same is hereby, amended to read as follows:

Osage Indians, Okla.
41 Stat., 1249, amended, vol. 4, 316.

"That all that part of the Act of June 28, 1906 (Thirty-fourth Statutes at Large, page 539), entitled 'An Act for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes,' which reserves to the Osage Tribe the oil, gas, coal, or other minerals, covered by the lands for the selection and division of which provision is made in that Act is hereby amended so that the oil, gas, coal, or other minerals, covered by said lands are reserved to the Osage Tribe, until the 8th day of April, 1958, unless otherwise provided by Act of Congress, and all royalties and bonuses arising therefrom shall belong to the Osage Tribe of Indians, and shall be disbursed to members of the Osage Tribe or their heirs or assigns as now provided by law, after reserving such amounts as are now or may hereafter be authorized by Congress for specific purposes.

Oil, etc., lands reserved to, until April 8, 1958.
34 Stat., 542, vol. 3, 254.

Royalties therefrom to be disbursed to members of the tribe.

"The lands, moneys, and other properties now or hereafter held in trust or under the supervision of the United States for the Osage Tribe of Indians, the members thereof, or their heirs and assigns, shall continue subject to such trust and supervision until January 1, 1959, unless otherwise provided by Act of Congress.

Lands, etc., held in trust, continued subject thereto, until January 1, 1959.

"The Secretary of the Interior and the Osage tribal council are hereby authorized and directed to offer for lease for oil, gas, and other mining purposes any unleased portion of said land in such quantities and at such times as may be deemed for the best interest of the Osage Tribe of Indians: *Provided*, That not less than twenty-five thousand acres shall be offered for lease for oil and gas mining purposes during any one year: *Provided further*, That as to all lands hereafter leased, the regulations governing same and the leases issued thereon shall contain appropriate provisions for the conservation of the natural gas for its economic use, to the end that the highest percentage of ultimate recovery of both oil and gas may be

Unleased land to be offered for oil and gas leases.

Provisos.
Minimum yearly offering.

Regulations for conservation of gas to be contained in leases.

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[1] 39 Fed. (2), 662; 50 (Fed.) (2) 918; 51 Fed. (2), 884; 54 Fed. (2), 43; 59 Fed. (2), 653; 67 Fed. (2), 788; 69 Fed. (2), 19; 81 Fed. (2), 143, 149, 155; 83 Fed. (2), 143; 87 Fed. (2), 155; 94 Fed. (2), 156. 53 I. D. D., 105, 564; 56 I. D. D., 48. 20 Pac. Rep. (2), 563, 568; 43 Pac. Rep. (2), 439; 49 Pac. Rep. (2), 800; 68 Pac. Rep. (2), 95; 80 Pac. Rep. (2), 561; 90 Pac. (2), 1071.

Valid existing leases continued.

secured: *Provided, however*, That nothing herein contained shall be construed as affecting any valid existing lease for oil or gas or other minerals, but all such leases shall continue as long as gas, oil, or other minerals are found in paying quantities.

Tax exemption of homesteads of Indians without competency certificate.

"Homestead allotments of Osage Indians not having a certificate of competency shall remain exempt from taxation while the title remains in the original allottee of one-half or more of Osage Indian blood and in his unallotted heirs or devisees of one-half or more of Osage Indian blood until January 1, 1959: *Provided*, That the tax-exempt land of any such Indian allottee, heir, or devisee shall not at any time exceed one hundred and sixty acres."

Proviso.
Area limited.

41 Stat., 1249, amended, vol. 4, 816.

SEC. 2. That section 2 of the Act of March 3, 1921 (Forty-first Statutes at Large, page 1249), entitled "An Act to amend section 3 of the Act of Congress of June 28, 1906, entitled 'An Act for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes,'" be, and the same is hereby, amended to read as follows:

Surface owners to be paid for damages from mining operations.

"The bona fide owner or lessee of the surface of the land shall be compensated, under rules and regulations prescribed by the Secretary of the Interior in connection with oil and gas mining operations, for any damage that shall accrue after the passage of this Act as a result of the use of such land for oil or gas mining purposes, or out of damages to the land or crops thereon, occasioned thereby, but nothing herein contained shall be construed to deny to the surface owner or lessee the right to appeal to the courts, without the consent of the Secretary of the Interior, in the event he is dissatisfied with the amount of damages awarded him. All claims for damages arising under this section shall be settled by arbitration under rules and regulations to be prescribed by the Secretary of the Interior; but either party shall have the right to appeal to the courts without consent of the Secretary of the Interior in the event he is dissatisfied with the award to or against him. The appeal herein authorized shall consist of filing an original action in any court of competent jurisdiction sitting at the county seat of Osage County, to enlarge, modify or set aside the award, and in any such action, upon demand of either party, the issues, both of law and of fact shall be tried de novo before a jury upon the request of either party. Arbitration, or a bona fide offer in writing to arbitrate, shall constitute conditions precedent to the right to sue for such damages: *Provided*, That nothing herein contained shall preclude the institution of any such suit in a Federal court having jurisdiction thereof, or the removal to said court of any such suit brought in the State court, which under Federal law may be removed to the Federal court: *Provided further*, That nothing herein shall be construed to limit the time for any action to be filed to less than ninety days."

Appeal to court.

Settlement by arbitration.

Procedure for appeals in county court.

Provisos.
Suit in Federal court allowed.

Time for filing.

43 Stat., 1010, amended; vol. 4, 479.
Payments from income.

SEC. 3. That section 1 of the Act of Congress of February 27, 1925 (Forty-third Statutes at Large, page 1008), is hereby amended by adding thereto the following:

Indians without competency certificate.

"That Secretary of the Interior be, and is hereby, authorized, in his discretion, under such rules and regulations as he may prescribe, upon application of any member of the Osage Tribe of Indians not having a certificate of competency, to pay all or any part of the funds held in trust for such Indian: *Provided*, That the Secretary of the Interior shall, within one year after this Act is approved, pay to each enrolled Indian of less than half Osage blood, one-fifth part of his or her proportionate share of accumulated funds. And such Secretary shall on or before the expiration of ten years from the date of the

Proviso.
Payments hereafter to enrolled Indians of less than one-half Osage blood.

approval of this Act, advance and pay over to such Osage Indians of less than one-half Osage Indian blood, all of the balance appearing to his credit of accumulated funds, and shall issue to such Indian a certificate of competency: *And provided further*, That nothing herein contained shall be construed to interfere in any way with the removal by the Secretary of the Interior of restrictions from and against any Osage Indian at any time." [2]

Removal of restrictions at any time.

43 Stat., 1010, amended, vol. 4, 481.

SEC. 4. That section 2 of the Act of Congress approved February 27, 1925 (Forty-third Statutes at Large, page 1011), being an Act to amend the Act of Congress of March 3, 1921 (Forty-first Statutes at Large, page 1249), be, and the same is hereby, amended to read as follows:

Disposition of property, etc., to estates of Indians without competency certificates.

"Upon the death of an Osage Indian of one-half or more Indian blood who does not have a certificate of competency, his or her moneys and funds and other property accrued and accruing to his or her credit and which have heretofore been subject to supervision as provided by law may be paid to the administrator or executor of the estate of such deceased Indian or direct to his heirs or devisees, or may be retained by the Secretary of the Interior in the discretion of the Secretary of the Interior, under regulations to be promulgated by him: *Provided*, That the Secretary of the Interior shall pay to administrators and executors of the estates of such deceased Osage Indians a sufficient amount of money out of such estates to pay all lawful indebtedness and costs and expenses of administration when approved by him; and, out of the shares belonging to heirs or devisees, above referred to, he shall pay the costs and expenses of such heirs or devisees, including attorney fees, when approved by him, in the determination of heirs or contest of wills. Upon the death of any Osage Indian of less than one-half of Osage Indian blood or upon the death of an Osage Indian who has a certificate of competency, his moneys and funds and other property accrued and accruing to his credit shall be paid and delivered to the administrator or executor of his estate to be administered upon according to the laws of the State of Oklahoma: *Provided*, That upon the settlement of such estate any funds or property subject to the control or supervision of the Secretary of the Interior on the date of the approval of this Act, which have been inherited by or devised to any adult or minor heir or devisee of one-half or more Osage Indian blood who does not have a certificate of competency, and which have been paid or delivered by the Secretary of the Interior to the administrator or executor shall be paid or delivered by such administrator or executor to the Secretary of the Interior for the benefit of such Indian and shall be subject to the supervision of the Secretary as provided by law." [3]

Provisos.
Payment of indebtedness, administration expenses, etc.

Delivery of property to administrator of Indian with less than one-half Osage blood, and having competency certificate.

Funds from the estate, for Indians without competency certificate, to be delivered to Secretary of Interior for disposition.

SEC. 5. The restrictions concerning lands and funds of allotted Osage Indians, as provided in this Act and all prior Acts now in force, shall apply to unallotted Osage Indians born since July 1, 1907, or after the passage of this Act, and to their heirs of Osage Indian blood, except that the provisions of section 6 of the Act of Congress approved February 27, 1925, with reference to the validity of contracts for debt, shall not apply to any allotted or unallotted Osage Indian of less than one-half degree Indian blood: *Provided*, That the Osage lands and funds and any other property which has heretofore or which may hereafter be held in trust or under supervision of the United States for such Osage Indians of less than one-half degree Indian blood not having a certificate of competency shall not be subject to forced

Restrictions applicable to unallotted Osages born since July 1, 1907, and their heirs.

Validity of contracts for debt.

43 Stat., 1011, vol. 4, 482.

Provisos.
Property in trust for Indians of less than one-half Osage blood, etc., not subject to forced sale, etc.

[2] 11 Comp. Gen. Dec., 54; 17 Comp. Gen. Dec. 226.
[3] 55 I. D. D., 940.

Certificate of competency granted to unallotted Osage Indian, at discretion of the Secretary.

sale to satisfy any debt or obligation contracted or incurred prior to the issuance of a certificate of competency: *Provided further*, That the Secretary of the Interior is hereby authorized in his discretion to grant a certificate of competency to any unallotted Osage Indian when in the judgment of the said Secretary such member is fully competent and capable of transacting his or her own affairs.[4]

Outstanding obligations of restricted Indians to be paid from funds thereof.

SEC. 6. All just existing obligations of restricted Osage Indians outstanding January 1, 1929, when approved by the Superintendent of the Osage Agency, shall be paid out of the money of such Indian appearing to his credit, in addition to his quarterly allowances: *And provided further*, That nothing herein contained shall be construed to interfere in any way with the granting of a certificate of competency by the Secretary of the Interior, as provided for by existing law, at any time after the payment of all of his or her just debts which have been presented to and approved by the Superintendent of the Osage Indian Agency.

Proviso.
Competency certificates may be granted after payments of all debts.

34 Stat., 545 amended; vol. 3, 258.
Tribal officers, etc.

SEC. 7. That section 9 of the Act of Congress approved June 28, 1906 (Thirty-fourth Statutes at Large, page 539), be, and the same is hereby, amended to read as follows:

Quadrennial election of principal chief, and members of tribal council.

"That there shall be a quadrennial election of officers of the Osage Tribe as follows: A principal chief, an assistant principal chief, and eight members of the Osage tribal council, to succeed the officers elected in the year 1928, said officers to be elected at a general election to be held in the town of Pawhuska, Oklahoma, on the first Monday in June, 1930, and on the first Monday in June each four years thereafter, in the manner to be prescribed by the Commissioner of Indian Affairs, and said officers shall be elected for a period of four years commencing on the 1st day of July following said elections, and in case of vacancy in the office of principal chief or other such officer by death, resignation, or otherwise, the vacancies of the Osage tribal council shall be filled in a manner to be prescribed by the Osage tribal council, and the Secretary of the Interior is hereby authorized to remove from the council any member or members thereof for good cause, to be by him determined, after the party involved has had due notice and opportunity to appear and defend himself, and said tribal government so constituted shall continue in full force and effect to January 1, 1959."

Filling vacancies.

Approved, March 2, 1929.

March 2, 1929.
[H. R. 1660.]
45 Stat., 1487.

CHAP. 502.—An Act To authorize an appropriation to pay one-half the cost of a bridge on the Cheyenne River Indian Reservation in South Dakota

Cheyenne River Indian Reservation, S. Dak.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That $9,000 is hereby authorized to be appropriated, out of any money in the Treasury to the credit of the Cheyenne River Indians of South Dakota not otherwise appropriated, to pay not to exceed one-half the cost of the construction of a bridge and approaches thereto across the Moreau River at or near the White Horse Indian Subagency on the Cheyenne River Indian Reservation in the State of South Dakota, including the cost of surveys, plans, estimates, and specifications, and other necessary expenses connected therewith, on condition that the State of South Dakota or the county of Dewey provide the remainder of

Moreau River.
One-half of cost of bridge across, at White Horse Subagency, authorized, from Indian funds.

Remainder by State, etc.

[4] 52 I. D. D., 171, 592.

the cost, under rules and regulations prescribed by the Secretary of the Interior, who shall also approve the plans and specifications therefor: *Provided*, That before any money is spent hereunder, the State or county shall agree in writing to maintain the bridge and approaches without expense to the said Indians or the United States.

Proviso.
Maintenance by State, etc., required.

Approved, March 2, 1929.

CHAP. 504.—An Act To authorize an appropriation to pay half the cost of a bridge across Cherry Creek on the Cheyenne River Indian Reservation, South Dakota

March 2, 1929.
[H. R. 16659.]
45 Stat., 1488.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That $9,000 is hereby authorized to be appropriated, out of any money in the Treasury to the credit of the Cheyenne River Indians of South Dakota not otherwise appropriated, to pay not to exceed one-half the cost of the construction of a bridge and approaches thereto across Cherry Creek at or near the subagency of that name, including the cost of surveys, plans, estimates, and specifications, and other necessary expenses connected herewith, on condition that the State of South Dakota or the county of Ziebach, or both, provide the remainder of the cost, under rules and regulations prescribed by the Secretary of the Interior, who shall also approve the plans and specifications therefor: *Provided*, That before any money is spent hereunder the State or county shall agree in writing to maintain the bridge and approaches without expense to the said Indians or the United States.

Cheyenne River Indian Reservation, S. Dak.
Cherry Creek.
One-half of cost of bridge across, authorized, from Indian funds.

Remainder by State, etc.

Proviso.
Maintenance by State, etc., required.

Approved, March 2, 1929.

CHAP. 511.—An Act Authorizing an appropriation of Crow tribal funds for payment of council and delegate expenses, and for other purposes

March 2, 1929.
[H. R. 15723.]
45 Stat., 1496.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, from funds to the credit of the Crow Tribe of Indians, the sum of $5,000, to be available for the payment of the expenses of the tribal council in holding meetings on the Crow Reservation, and for the expenses of delegates which such council may send to the city of Washington on tribal business when authorized by the Secretary of the Interior or the Commissioner of Indian Affairs and under such rules and regulations as may be prescribed by the Secretary of the Interior.

Crow Indians.
Sum from funds of, authorized for expenses of meetings of tribal council, etc.

Approved, March 2, 1929.

CHAP. 576.—An Act To repeal the provision in the Act of April 30, 1908, and other legislation limiting the annual per capita cost in Indian schools

March 2, 1929.
[H. R. 17079.]
45 Stat., 1534.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provision in the Act of April 30, 1908 (Thirty-fifth Statutes at Large, page 72), and all other Acts imposing a limit upon the per capita cost in Indian boarding schools, be, and the same are hereby, repealed.

Indian boarding schools.
Limit on per capita cost in, repealed.
35 Stat., 72, repealed, vol. 3, 319.

Approved, March 2, 1929.

March 4, 1929.
[S. 5127.]
45 Stat., 1550.

CHAP. 689.—An Act To carry into effect the twelfth article of the treaty between the United States and the Loyal Shawnee Indians proclaimed October 14, 1868

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $109,746.25, and the Secretary of the Treasury be, and he is hereby, authorized and directed to pay said sum to the Indians of the Loyal Shawnee Tribe, their heirs, or legal representatives, in accordance with the official findings, arbitration award, and report of the Secretary of the Interior to Congress made in pursuance of the twelfth article of the treaty between the United States and the Loyal Shawnee Indians, proclaimed October 14, 1868 (Fifteenth Statutes at Large, page 513); which claims are similar to but not included with those of the Shawnee Indians for whom an appropriation was made by Act of December 22, 1927 (Public, Numbered 2, Seventieth Congress, first session): *Provided*, That there shall be paid to the duly authorized attorneys of said respective Loyal Shawnee Indians, their duly proven and established heirs, or their attorneys in fact, 5 per centum of the amount due on the respective claims of said Indians against the Government, when said Indians' right to receive payment is established: *And provided further*, That before payment of the amount due said Loyal Shawnee Indian or his heirs or assigns or to their duly authorized attorneys, receipt shall be executed by or on behalf of said Indian claimants, or their legal representative, acknowledging payment of their claim against the United States, which receipt shall be approved by the Commissioner of Indian Affairs.

Loyal Shawnee Indians.
Payment directed of award for war losses of, under treaty of 1868.

15 Stat., 516, vol. 2, 960.

45 Stat., 18; ante, 2.
Provisos.

Allowances to attorneys.

Receipt required.

A committee of five male adult members of the Loyal Shawnee Tribe, to be selected under direction of the Commissioner of Indian Affairs, with its headquarters, at Vinita, Oklahoma, shall execute a release on behalf of all beneficiaries having no legal representatives.

Committee of tribe to execute releases for beneficiaries without legal representatives.

Approved, March 4, 1929.

March 4, 1929.
[H. R. 15089.]
45 Stat., 1562.

CHAP. 705.—An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1930, 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 are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1930, namely:

Interior Department appropriations, fiscal year, 1930.

OFFICE OF THE SECRETARY

Secretary's Office.

* * * * * * *

CONTINGENT EXPENSES, DEPARTMENT OF THE INTERIOR

Department contingent expenses.

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For the purchase or exchange of professional and scientific books, law and medical books, and books to complete broken sets, periodicals, directories, and other books of reference relating to the business of the department by the several offices and bureaus of the Interior Department herein named, there is hereby made available from any appropriations made for such bureau or office not to exceed the following respective sums: Office of the Secretary, $600; Pension Office,

Books, periodicals, etc.

Office allotments.

$800; Indian Service, $200; Bureau of Education, $1,500; Bureau of Reclamation, $2,000; Geological Survey, $2,000; National Park Service, $500; General Land Office, $500.

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GENERAL LAND OFFICE

General Land Office.

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Indian reservations. Opening to entry.

Opening Indian reservations (reimbursable): For expenses pertaining to the opening to entry and settlement of such Indian reservation lands as may be opened during the fiscal year 1930, $300: *Provided*, That the expenses pertaining to the opening of each of said reservations and paid for out of this appropriation shall be reimbursed to the United States from the money received from the sale of the lands embraced in said reservations, respectively.

Proviso. Reimbursement.

BUREAU OF INDIAN AFFAIRS

Indian Affairs Bureau.

SALARIES

Commissioner, and office personnel.

For the Commissioner of Indian Affairs and other personal services in the District of Columbia, $400,000.

GENERAL EXPENSES

General expenses.

Transportation, telegraphing, etc.

For transportation and incidental expenses of officers and clerks of the Bureau of Indian Affairs when traveling on official duty; for telegraph and telephone toll messages on business pertaining to the Indian Service sent and received by the Bureau of Indian Affairs at Washington, and for other necessary expenses of the Indian Service for which no other appropriation is available, $12,000.

Supplies. Purchase, transportation, etc.

For expenses necessary to the purchase of goods and supplies for the Indian Service, including inspection, pay of necessary employees, and all other expenses connected therewith, including advertising, storage, and transportation of Indian goods and supplies, $600,000: *Provided*, That no part of this appropriation shall be used in payment for any services except bill therefor is rendered within one year from the time the service is performed.

Proviso. Limitation on payment.

Inspectors.

For pay of special Indian Service inspector and two Indian Service inspectors, and traveling and incidental expenses, $15,500.

Judges.

For pay of judges of Indian courts where tribal relations now exist, at rates to be fixed by the Commissioner of Indian Affairs, $18,000.

Police.

For pay of Indian police, including chiefs of police at not to exceed $70 per month each and privates at not to exceed $50 per month each, to be employed in maintaining order, and for purchase of equipment and supplies, $163,000.

Suppressing liquor traffic, etc.

For the suppression of the traffic in intoxicating liquors and deleterious drugs, including peyote, among Indians, $100,000.

Agency buildings. Construction, purchase, repairs, etc.

For lease, purchase, repair, and improvement of agency buildings, exclusive of hospital buildings, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $175,000; for construction of physical improvements, exclusive of hospitals, $75,000; in all, $250,000: *Provided*, That this appropriation shall be available for the payment of salaries and expenses of persons employed in the supervision of construction or repair work of roads and bridges on Indian reservations and other lands devoted to the

Provisos. Supervising work.

New construction limited.
Allotments excepted.

Indian Service: *Provided further*, That no money shall be expended for new construction at any one agency except as follows: Not to exceed $30,000 for an additional water supply, Southern Navajo Agency, Arizona; not to exceed $7,000 for water and sewage disposal systems, Turtle Mountain Agency and Hospital, North Dakota; not to exceed $13,100 for water-filtration plant, with storage reservoir, at the Standing Rock Agency, North Dakota; for two employees' cottages, Choctaw Agency, Mississippi, $5,500; for employee's cottage, Blackfeet Agency, Montana, $3,500; for office building, Rosebud Agency, South Dakota, $7,500; for employee's cottage, Warm Springs Agency, Oregon, $3,500; for office building, Tomah Agency, Wisconsin, $3,500; for electric system, Consolidated Ute Agency, Utah, $2,500.

Vehicles.
Allowance for maintenance, repairs, etc.

Not to exceed $150,000 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for the use of superintendents, farmers, physicians, field matrons, allotting, irrigation, and other employees in the Indian field service: *Provided*, That not to exceed $1,000 may be used in the purchase of horse-drawn passenger-carrying vehicles, and not to exceed $95,000 for the purchase and exchange of motor-propelled passenger-carrying vehicles, and that such vehicles shall be used only for official service: *Provided further*, That the limitation of $40,000 in the Interior Department Appropriation Act for the fiscal year 1929 (45 Stat., p. 205) for the purchase of motor-propelled passenger-carrying vehicles is hereby increased to $80,000.

Provisos.
Purchases limited.

Former limit increased.
45 Stat., 205; ante, 10.

Emergency allowance by diversions from specified appropriations.

That to meet possible emergencies, not exceeding $100,000 of the appropriations made by this Act for support of reservation and nonreservation schools, for school and agency buildings, and for preservation of health among Indians, shall be available, upon approval of the Secretary of the Interior, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Indian Service above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: *Provided*, That the limitations for new construction contained in the appropriations for Indian school, agency, and hospital buildings shall not apply to such emergency expenditures: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Provisos.
Buildings construction.

Report to Congress.

Probate matters.

EXPENSES IN PROBATE MATTERS

Determining heirs of deceased allottees.

For the purpose of determining the heirs of deceased Indian allottees having right, title, or interest in any trust or restricted property, under regulations prescribed by the Secretary of the Interior, $59,000, reimbursable as provided by existing law, of which $15,000 shall be available for personal services in the District of Columbia: *Provided*, That the provisions of this paragraph shall not apply to the Osage Indians nor to the Five Civilized Tribes of Oklahoma.

Services in the District.
Proviso.
Tribes excepted.

Five Civilized Tribes and Quapaws.
Attorneys, etc., for.

For salaries and expenses of such attorneys and other employees as the Secretary of the Interior may, in his discretion, deem necessary in probate matters affecting restricted allottees or their heirs in the Five Civilized Tribes and in the several tribes of the Quapaw Agency, and for the costs and other necessary expenses incident to suits instituted or conducted by such attorneys, $34,500: *Provided*, That no part of this appropriation shall be available for the payment of attorneys or other employees unless appointed after a competitive examination by the Civil Service Commission and from an eligible list furnished by such commission.

Proviso.
Restricted to Civil Service eligibles.

EXPENSES OF INDIAN COMMISSIONERS

Citizen Commission.

For expenses of the Board of Indian Commissioners, $12,000, of which amount not to exceed $8,700 may be expended for personal services in the District of Columbia.

INDIAN LANDS

Indian lands.

Surveying, allotting, in severalty, etc.
24 Stat., 388, vol. 1, 33.
U. S. Code, p. 711.

For the survey, resurvey, classification, and allotment of lands in severalty under the provisions of the Act entitled "An Act to provide for the allotment of lands in severalty to Indians," approved February 8, 1887 (U. S. C., p. 711, sec. 331), and under any other Act or Acts providing for the survey or allotment of Indian lands, $35,000: *Provided*, That no part of said sum shall be used for the survey, resurvey, classification, or allotment of any land in severalty on the public domain to any Indian, whether of the Navajo or other tribes, within the State of New Mexico and the State of Arizona, who was not residing upon the public domain prior to June 30, 1914.

Proviso.
Use in New Mexico and Arizona limited.

Pueblo Lands Board.
Expenses.
43 Stat., 640, vol. 4, 458.

For carrying out the provisions of section 13 of the Act entitled "An Act to quiet the title to lands within Pueblo Indian land grants, and for other purposes," approved June 7, 1924 (43 Stat., p. 636), $5,000, or so much thereof as may be necessary, to be immediately available.

Advertising land sales.

For the payment of newspaper advertisements of sales of Indian lands, $500, reimbursable from payments by purchasers of costs of sale, under such rules and regulations as the Secretary of the Interior may prescribe.

Pueblo Indians, New Mexico.
Attorney for.

For the pay of one special attorney for the Pueblo Indians of New Mexico, to be designated by the Secretary of the Interior, and for necessary traveling expenses of said attorney, $3,700, or so much thereof as the Secretary of the Interior may deem necessary.

Five Civilized Tribes.
Expenses, sales of property, from proceeds.

For payment of salaries of employees and other expenses of surveying, advertising, and sale in connection with the further sales of unallotted lands and other tribal property belonging to any of the Five Civilized Tribes, including the advertising and sale of the land within the segregated coal and asphalt area of the Choctaw and Chickasaw Nations, or of the surface thereof, as provided for in the Act approved February 22, 1921, entitled "An Act authorizing the Secretary of the Interior to offer for sale remainder of the coal and asphalt deposits in segregated mineral land in the Choctaw and Chickasaw Nations, State of Oklahoma" (41 Stat., p. 1107), and of the improvements thereon, which is hereby expressly authorized, and for other work necessary to a final settlement of the affairs of the Five Civilized Tribes, $10,000, to be paid from the proceeds of sales of such tribal lands and property.

Choctaw and Chickasaw coal and asphalt lands.
41 Stat., 1107, vol. 4, 287.

Final settlement of tribal affairs.

Fort Apache Reservation, Ariz.
Purchase of land for Indians of.
45 Stat., 962; Ante, 59.

For the purchase of certain land and appurtenances thereto situated within the exterior boundaries of the Fort Apache Reservation, Arizona, as authorized by the Act of May 29, 1928 (45 Stat., p. 962), $6,200, or so much thereof as may be necessary, payable from funds on deposit in the Treasury to the credit of the Fort Apache Indians, to be immediately available.

Homeless Indians in California.
Purchase of lands for.
44 Stat., 941, vol. 4, 914.

For the purchase of lands for the homeless Indians in California, including improvements thereon, for the use and occupancy of said Indians, $8,000, together with the unexpended balance of the appropriation for this purpose for the fiscal years 1928 and 1929, said funds to be expended under such regulations and conditions as the Secretary of the Interior may prescribe.

Full blood Choctaws in Mississippi.
Purchase of lands, etc., for.

For the purchase of lands, including improvements thereon, not exceeding eighty acres for any one family, for the use and occupancy of the full-blood Choctaw Indians of Mississippi, to be expended under conditions to be prescribed by the Secretary of the Interior for its repayment to the United States under such rules and regulations as he may direct, $6,500.

Pueblo Indian lands, New Mexico.
43 Stat., 636, vol. 4, 454.
Post, 336.
Payment to designated Pueblos.

For carrying out the provisions of the Act of June 7, 1924 (43 Stat., p. 636), to quiet title in Pueblo Indian lands, New Mexico, and in settlement for damages for lands and water rights lost to the Indians of the Pueblos as recommended in the respective reports of the Pueblo Lands Board thereon, the sum of $135,381.37, as follows: Santo Domingo, $13,888.20; Sandia, $20,950.90; San Felipe, $20,341.10; Taos, $48,497; Santa Ana, $5,035.54; Nambe, $26,668.63; all of said sums so to be expended to be immediately available: *Provided*, That the balance, if any, of the amounts so appropriated for the above Pueblos be placed to their credit on the books of the Treasury at 4 per centum interest per annum, and be subject to future appropriation by Congress: *Provided further*, That $1,000 of the amount for the Santo Domingo Pueblos be used to purchase thirteen acres of land and water rights for said Indians; that $3,578 of the sum for the Nambe Pueblos be available to purchase ten and seventy-nine one-hundredth acres of land and water rights, and the sum of $8,500 for irrigating and improving the lands of these Pueblos: *Provided further*, That all of the sums credited to the Pueblos of Sandia and Taos, respectively, be used for fencing, irrigating, and improving their lands; that $535.57 of the amount for the San Felipe Pueblos be available for the purchase therefor of sixteen and eight hundred eighty-nine one-thousandths acres of land and water rights, lying west of the Rio Grande, and that $10,000 of the sum credited to these Indians be available for fencing, irrigating, and improving the land thereof.[1]

Provisos.
Balance to credit of the Pueblos.

Use for Santo Domingo and Nambe Pueblos.

Use for Sandia and Taos, and San Felipe Pueblos.

Tesuque Indians.
Purchase of lands etc., for, from tribal funds.
Developing water supply.
Reimbursement.
44 Stat., 942, vol. 4, 925.

Not more than $18,000 of the funds to the credit of the Tesuque Indians is hereby made immediately available for the purchase of lands and the development of a water supply, and not to exceed $600 is authorized to be used to reimburse the appropriation for encouraging industry and self-support among Indians, made by the Act of January 12, 1927 (44 Stat., p. 942), for the cost of a hay baler and platform scales purchased from said appropriation for the use and benefit of said Indians; in all, $18,600.

Navajo Indians.
Additional land and water rights for benefit of.
45 Stat., 899; ante, 59.

For purchase of additional land and water rights for the use and benefit of Indains of the Navajo Tribe, title to which shall be taken in the name of the United States in trust for the Navajo Tribe, $200,000, as authorized by the Act of May 29, 1928 (45 Stat., p. 899), payable from funds on deposit in the Treasury of the United States to the credit of the Navajo Tribe: *Provided*, That in purchasing such lands title may be taken, in the discretion of the Secretary of the Interior, for the surface only.

Proviso.
Title for surface only.

Nisqually Indians.
Use of unexpended balance for transferring remains to new cemetery.
44 Stat., 174, vol. 4, 515.

The unexpended balance of $6,124.25 of the appropriation of $85,000 for the relief of the Nisqually Indians contained in the Act of December 5, 1924 (43 Stat., p. 684), which unexpended balance was continued available during the fiscal year 1927 by the Act of March 3, 1926 (44 Stat., p. 174), is hereby made available during the fiscal year 1930 for the purpose of removing the bodies of deceased Indians from the old Nisqually cemetery to a new location.

[1] 52 I. D. D., 696.

For payment to the Kiowa, Comanche, and Apache Indians, of Oklahoma, under such rules and regulations as the Secretary of the Interior may prescribe $200,000, from the tribal trust fund established by Joint Resolution of Congress, approved June 12, 1926 (44 Stat., p. 740), being a part of the Indians' share of the money derived from the south half of the Red River in Oklahoma.

Kiowa, etc., Indians, Okla.
Payment to, from oil royalties fund.
44 Stat., 740, vol. 4, 558.

INDUSTRIAL ASSISTANCE AND ADVANCEMENT

Industrial work, etc.

For the purposes of preserving living and growing timber on Indian reservations and allotments other than the Menominee Indian Reservation in Wisconsin, and to educate Indians in the proper care of forests; for the conducting of experiments on Indian school or agency farms designed to test the possibilities of soil and climate in the cultivation of trees, grains, vegetables, cotton, and fruits, and for the employment of practical farmers and stockmen, including $50,000 for the employment of agricultural college graduates scientifically trained and qualified to direct the agricultural activities of the Indians, in addition to the agency and school farmers now employed; for necessary traveling expenses of such farmers and stockmen and for furnishing necessary equipment and supplies for them; and for superintending and directing farming and stock raising among Indians, $435,000: *Provided*, That this appropriation shall be available for the expenses of administration of Indian forest lands from which timber is sold to the extent only that proceeds from the sales of timber from such lands are insufficient for that purpose: *Provided further*, That not to exceed $100,000 of the amount herein appropriated may be used for the prevention of forest fires on Indian reservations: *Provided further*, That not to exceed $20,000 of the amount herein appropriated may be used to conduct experiments on Indian school or agency farms to test the possibilities of soil and climate in the cultivation of trees, cotton, grain, vegetables, and fruits, and for producing and maintaining a supply of suitable plants or seed for issue to Indians: *Provided further*, That not to exceed $10,000 of the amount herein appropriated may be used for obtaining remunerative employment for Indians and when necessary for payment of transportation and other expenses to their place of employment, such expenditures to be refunded when practicable: *Provided, also*, That the amounts paid to matrons, foresters, farmers, physicians, nurses, and other hospital employees, and stockmen provided for in this Act shall not be included within the limitations on salaries and compensation of employees contained in the Act of August 24, 1912 (U. S. C., p. 692, sec. 58).

Timber preservation, etc.
Agricultural experiments.
Farmers and stockmen.
Agricultural college graduates.
Provisos.
Administering forest lands from timber sales, etc.
Forest fire prevention.
Amount for soil, etc., experiments.
Obtaining employment for Indians.
Pay limitations not applicable.
37 Stat., 521.
U. S. Code, p. 692.

For expenses incidental to the sale of timber, and for the expenses of administration of Indian forest lands from which such timber is sold to the extent that the proceeds of such sales are sufficient for that purpose, $210,000, reimbursable to the United States as provided in the Act of February 14, 1920 (U. S. C., p. 720, sec. 413).

Timber sale, etc., expenses.
Reimbursement.
41 Stat., 415, vol. 4, 238.
U. S. Code, p. 720.

For continuation of forest insect control work on the Klamath Indian Reservation in Oregon, $25,000, payable from funds on deposit in the Treasury to the credit of the Klamath Indians.

Klamath Reservation, Oreg.
Forest insect control on.

To meet possible emergencies, not exceeding $50,000 of the appropriations made by this Act for timber operations in the Indian Service is hereby made available for the suppression of forest fires on Indian reservations, together with the unexpended balance of the appropriation made for this purpose for the fiscal year 1928 from the funds held

Emergencies for suppressing fires on reservations.
From tribal funds.

by the United States in trust for the respective tribes of Indians interested: *Provided*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Proviso. Report to Congress.

Geological Survey. Supervising mining operations on leased lands, etc., by. 26 Stat., 795, vol. 1, 56; 35 Stat., 312, 444, 783, vol. 3, 351, 356, 390. U. S. Code, p. 717.

For transfer to the Geological Survey for expenditures to be made in inspecting mines and examining mineral deposits on Indian lands and in supervising mining operations on restricted, tribal, and allotted Indian lands leased under the provisions of the Acts of February 28, 1891 (26 Stat., p. 795), May 27, 1908 (35 Stat., p. 312), March 3, 1909 (U. S. C., p. 717, sec. 396), and other Acts authorizing the leasing of such lands for mining purposes, $75,000, or so much thereof as may be necessary.

Encouraging farming, etc., for self support.

For the purpose of encouraging industry and self-support among the Indians and to aid them in the culture of fruits, grains, and other crops $450,000, or so much thereof as may be necessary, which sum may be used for the purchase of seeds, animals, machinery, tools, implements, and other equipment necessary, and for advances to Indians having irrigable allotments to assist them in the development and cultivation thereof, in the discretion of the Secretary of the Interior, to enable Indians to become self-supporting: *Provided*, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1935, except in the case of loans on irrigable lands for permanent improvement of said lands, in which the period for repayment may run for not exceeding twenty years in the discretion of the Secretary of the Interior: *Provided further*, That $125,000 shall be immediately available for expenditures for the benefit of the Pima Indians and not to exceed $25,000 of the amount herein appropriated shall be expended on any other one reservation or for the benefit of any other one tribe of Indians: *Provided further*, That no part of this appropriation shall be used for the purchase of tribal herds: *Provided further*, That the Secretary of the Interior is hereby authorized, in his discretion and under such rules and regulations as he may prescribe, to make advances from this appropriation to old, disabled, or indigent Indian allottees, for their support, to remain a charge and lien against their lands until paid.

Provisos. Repayment.

Loans on irrigable lands.

Pima Indians, etc.

Limit to any one tribe, etc.

Purchase of tribal herds excluded.

Advances to old, etc., allottees.

Industrial assistance. Constructing homes, purchasing farm implements, supplies, etc., from tribal funds.

Industrial assistance: For the construction of homes for individual members of the tribes; the purchase for sale to them of seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support, payable from tribal funds on deposit in the Treasury, reimbursable, to be expended in the discretion of the Secretary of the Interior and to enable Indians to become self-supporting, as follows: Colorado River, Arizona, $25,000; Fort Apache, Arizona, $50,000; Southern Ute, Colorado, $50,000; Ute Mountain, Colorado, $50,000; Fort Hall, Idaho, $50,000; Consolidated Chippewa, Minnesota, $50,000; Red Lake, Minnesota, $50,000; Flathead, Montana, $50,000; Fort Peck, Montana, $50,000; Pyramid Lake, Nevada, $19,479.60; Jicarilla, New Mexico, $50,000; Mescalero, New Mexico, $25,000; Klamath, Oregon, $50,000; Warm Springs, Oregon, $25,000; Cheyenne River, South Dakota, $50,000; Pine Ridge, South Dakota, $50,000; Uintah, Utah, $50,000; Colville, Washington, $25,000; Menominee, Wisconsin, $50,000; Shoshone, Wyoming, $50,000; in all, $869,479.60, to be immediately available: *Provided*, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1935,

Tribes designated.

Provisos. Repayment.

except in the case of loans on irrigable lands for permanent improvement of said lands, in which the period for repayment may run for not exceeding twenty years in the discretion of the Secretary of the Interior: *Provided further*, That all moneys reimbursed during the fiscal year 1930 shall be credited to the respective appropriations and be available for the purposes of this paragraph, and the unexpended balance of the Menominee and the Fort Belknap appropriations, for the fiscal year 1929 shall remain available for the same purposes during the fiscal year 1930.

Of loans on irrigable lands.

Credited to moneys reimbursed.

Menominee and Fort Belknap Indians.
Unexpended balances for, reappropriated.
45 Stat., 208; ante. 14.

DEVELOPMENT OF WATER SUPPLY

Water supply.

Developing water supply: For improving springs, drilling wells, and otherwise developing and conserving water for Indian use, including the purchase, construction, and installation of pumping machinery, tanks, troughs, and other necessary equipment, and for necessary investigations and surveys for the purpose of increasing the available grazing range on unallotted lands on Indian reservations; not more than $27,500 for the Papago Indians in Arizona, not more than $5,000 for the Pueblo Indian lands in New Mexico, not more than $6,000 for the Hopi Indians in Arizona, and not more than $6,600 for domestic water supply for the Zuni Pueblo, New Mexico, in all, $45,100.

Increasing grazing ranges, etc., by developing sources of, on reservations.

Distribution.

Developing water supply (from tribal funds): For improving springs, drilling wells, and otherwise developing and conserving water for Indian use, including the purchase, construction, and installation of pumping machinery, tanks, troughs, and other necessary equipment, and for necessary investigations and surveys for the purpose of increasing the available grazing range on unallotted lands on Indian reservations: For the Mescalero Reservation, New Mexico, $10,000; for the Consolidated Ute Reservation, Colorado, $3,000; for the Navajos on the Navajo Reservations in Arizona and New Mexico, $75,000; in all, $88,000, to be paid from funds held in trust for said tribes of Indians, respectively, by the United States.

Amount from tribal funds.

Reservations designated.

IRRIGATION AND DRAINAGE

Irrigation and drainage.

For the construction, repair, and maintenance of irrigation systems, and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian reservations and allotments; for operation of irrigation systems or appurtenances thereto when no other funds are applicable or available for the purpose; for drainage and protection of irrigable lands from damage by floods or loss of water rights, upon the Indian irrigation projects named below, in not to exceed the following amounts, respectively:

Construction, maintenance, etc., of systems of, on reservations.

Irrigation district one: Colville Reservation, Washington, $5,000;

Allotments to districts.

Irrigation district two: Walker River Reservation, Nevada, $6,000; Western Shoshone Reservation, Idaho and Nevada, $4,000; Shivwits, Utah, $2,800;

Irrigation district four: Ak Chin Reservation, Arizona, $4,000; Chiu Chui pumping plants, Arizona, $8,000; Coachella Valley pumping plants, California, $2,000; Morongo Reservation, California, $3,500; Pala and Rincon Reservations, California, $2,000; miscellaneous projects, $4,000;

Irrigation district five: New Mexico Pueblos, $14,000; Zuni Reservation, New Mexico, $10,000; Navajo and Hopi, miscellaneous projects,

Arizona and New Mexico, $10,000; Southern Ute Reservation, Colorado, $10,000;

Administration.

Supervising engineers, etc.

For necessary miscellaneous expenses incident to the general administration of Indian irrigation projects, including salaries of one chief irrigation engineer, one assistant chief irrigation engineer, one superintendent of irrigation competent to pass upon water rights, not to exceed five supervising engineers, one field cost accountant, one assistant cost accountant, and for traveling and incidental expenses of officials and employees of the Indian irrigation service, $85,000;

Travel, etc., expenses.

Cooperative stream gauging.

For cooperative stream gauging with the United States Geological Survey, $850;

Reimbursements.
Unexpended balance reappropriated.
45 Stat., 210; ante, 16.
38 Stat., 582, vol. 4, 7.
U. S. Code, p. 716.
Provisos.
Use restricted.

In all, for irrigation on Indian reservations, not to exceed $160,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1929, which is hereby reappropriated, reimbursable as provided in the Act of August 1, 1914 (U. S. C., p. 716, sec. 385): *Provided*, That no part of this appropriation shall be expended on any irrigation system or reclamation project for which public funds are or may be otherwise available: *Provided further*, That the foregoing amounts appropriated for such purposes shall be available interchangeably, in the discretion of the Secretary of the Interior, for the necessary expenditures for damages by floods and other unforeseen exigencies, but the amount so interchanged shall not exceed in the aggregate 10 per centum of all the amounts so appropriated: *Provided further*, That the costs of irrigation projects and of operating and maintaining such projects where reimbursement thereof is required by law shall be apportioned on a per acre basis against the lands under the respective projects and shall be collected by the Secretary of the Interior as required by such law, and any unpaid charges outstanding against such lands shall constitute a first lien thereon which shall be recited in any patent or instrument issued for such lands.

Flood damages expenses interchangeable.

Limitation.

Apportionment of costs on per acre basis.

Unpaid charges a first lien on property.

Gila River Reservation.

Irrigating Pima Indian lands on.
37 Stat., 522, vol. 3, 533.

For operation and maintenance of the pumping plants and irrigation system for the irrigation of the lands of the Pima Indians in the vicinity of Sacaton, on the Gila River Indian Reservation, Arizona, $5,000, reimbursable as provided in section 2 of the Act of August 24, 1912 (37 Stat., p. 522).

San Carlos project, Ariz.
Operation, etc.
43 Stat., 475, vol. 4, 447.

For all purposes necessary to provide an adequate distributing, pumping, and drainage system for the San Carlos project, authorized by the Act of June 7, 1924 (43 Stat., p. 475), and to continue construction of and to maintain and operate works of that project and of the Florence-Casa Grande project; and to maintain, operate, and extend works to deliver water to lands in the Gila River Indian Reservation which may be included in the San Carlos project, including not more than $5,000 for crop and improvement damages and not more than $5,000 for purchases of rights of way, $500,000, reimbursable as required by said Act of June 7, 1924, as amended, and subject to the conditions and provisions imposed by said Act as amended.

Delivery of water to lands on Gila River Reservation.

45 Stat., 210; ante, 16.

Colorado River Reservation, Ariz.
Extending irrigation system on.
36 Stat., 273, vol. 3, 432.

For improvement, operation, and maintenance of the pumping plants and irrigation system on the Colorado River Indian Reservation, Arizona, as provided in the Act of April 4, 1910 (36 Stat., p. 273), $18,000, reimbursable as provided in the aforesaid Act.

Ganado project, Ariz.
Operating.

For operation and maintenance of the Ganado irrigation project, Arizona, reimbursable under such rules and regulations as the Secretary of the Interior may prescribe, $3,000.

San Xavier Reservation, Ariz.
Operating pumping plants.

For operation and maintenance of the irrigation project on the San Xavier Indian Reservation, Arizona, $2,000, reimbursable out of any funds of the Indians of this reservation now or hereafter available.

For the operation and maintenance of pumping plants for the irrigation of lands on the San Carlos Reservation in Arizona, $7,000, to be paid from the funds held by the United States in trust for the Indians of such reservation: *Provided*, That the sum so used shall be reimbursed to the tribe by the Indians benefited, under such rules and regulations as the Secretary of the Interior may prescribe: *Provided*, That the funds made available by the Act of March 7, 1928 (45 Stat., p. 211), for the construction of a transmission line, including substation, from the Coolidge Dam to lands available for irrigation by pumping on the San Carlos Reservation shall be available also for the purpose of drilling wells and the installation of pumping plants including the purchase of necessary equipment therefor to provide water for the irrigation of lands and for domestic purposes for the San Carlos Indians and shall remain available for the fiscal years 1930 and 1931.

San Carlos Reservation, Ariz.
Irrigating tribal lands on.

Provisos.
Reimbursement.

Transmission line.
45 Stat., 211; ante, 17.

Funds available for pumping plants.

For reclamation and maintenance charges on Indian lands within the Yuma Reservation, California, and on ten acres within each of the eleven Yuma homestead entries in Arizona, under the Yuma reclamation project, $33,800, reimbursable as provided by the Act of March 3, 1911 (36 Stat., p. 1063).

Yuma Reservation, Calif.
Advancing charges, on lands of, and in Ariz.
36 Stat., 1063, vol. 3, 492.

For improvements, maintenance, and operation of the Fort Hall irrigation system, Idaho, including $4,500 for replacement of buildings destroyed by fire, which shall be immediately available, $28,500.

Fort Hall Reservation, Idaho.
Operation.

For the purpose of carrying out the provisions of the Act approved May 29, 1928 (45 Stat., p. 938), to provide reclamation of Kootenai Indian allotments in Idaho within the exterior boundaries of drainage districts that may be benefited by drainage works of such districts, $114,000, reimbursable as provided for and subject to the provisions and conditions of such Act.

Kootenai Indians, Idaho.
Drainage of allotments.
45 Stat., 938.
Ante, 62.

To reimburse R. E. Hansen for destruction of crops, $2,480.65, payable out of funds received from the sale of stored water in the Blackfoot Reservoir, Fort Hall irrigation project, Idaho, as authorized by the Act of May 29, 1928 (45 Stat., pt. 2, p. 2027).

R. E. Hansen.
Reimbursement.
45 Stat., 327.
Ante, 70.

For the construction of a drainage system for lands of the Sac and Fox Indians in Iowa, $10,000: *Provided*, That said amount or so much thereof as may be used in the construction of the drainage system shall be reimbursed to the United States from the proceeds of leases covering the Indian lands benefited by the drainage work, and the Secretary of the Interior is hereby authorized to lease such lands for periods not in excess of five years, and the proceeds derived therefrom shall be used for payment of the cost of said work and the balance placed in the Treasury to the credit of the Indians, to bear interest at the rate of 4 per centum per annum: *Provided further*, That there is hereby created against such lands a first lien which lien shall not be enforced during the period that the title to such lands remains in the Indians, but that in case of sale of any such lands said lands shall be sold subject to the first lien herein created, and a recital of said lien shall be made in all patents or deeds issued for any lands benefited under the drainage ditch.

Sac and Fox Indians in Iowa.
Drainage of lands.
Provisos.
Reimbursement from proceeds of lands benefited.

Lien against, but not enforceable, while title in Indians.
Lands sold subject to lien.

For maintenance and operation, including repairs of the irrigation systems on the Fort Belknap Reservation, in Montana, $15,000, reimbursable in accordance with the provisions of the Act of April 4, 1910 (36 Stat., p. 270).

Fort Belknap Reservation.
Operating, etc.
36 Stat., 270, vol. 3, 429.

The unexpended balance of the appropriation for continuing construction of the irrigation systems on the Flathead Indian Reserva-

Flathead Reservation, Mont.
Construction.

44 Stat., 464, 945, vol. 4, 530, 918.
45 Stat., 212.
Ante, 18.
Balances available.

tion, Montana, contained in the Act of May 10, 1926 (44 Stat., pp. 464–466), as continued available in the Act of January 12, 1927 (44 Stat., p. 945), and the Act of March 7, 1928 (45 Stat., p. 212), shall remain available for the fiscal year 1930, subject to the reimbursable and other conditions and provisions of said Acts: *Provided*, That not more than $10,000 of the unexpended balance of $395,000 made available by the Act of March 7, 1928 (45 Stat., p. 212), for the construction of a power distributing system and for purchase of power, or for construction of power plant, shall be available for operation and maintenance, and $40,000 shall be available for construction of laterals near Ronan.

Proviso.
Power plant balance may be used for power distributing system.
45 Stat., 212.
Ante, 18.

Fort Peck Reservation, Mont.
Operating divisions of systems on.

For maintenance and operation, until January 1, 1930, of the Poplar River, Little Porcupine, and Big Porcupine divisions of the irrigation systems on the Fort Peck Indian Reservation in Montana, by and under the direction of the Commissioner of Indian Affairs, including the purchase of any necessary rights or property, $3,000 (reimbursable).

Blackfeet Reservation, Mont.
Operating divisions of systems on.

For improvement, maintenance, and operation of the Two Medicine and Badger-Fisher divisions of the irrigation systems on the Blackfeet Indian Reservation in Montana, by and under the direction of the Commissioner of Indian Affairs, including the purchase of any necessary rights or property, $18,000 (reimbursable).

Crow Reservation, Mont.
Operating systems on.

For maintenance and operation of the irrigation systems on the Crow Reservation, Montana, including maintenance assessments payable to the Two Leggings Water Users' Association and Bozeman Trail Ditch Company, Montana, properly assessable against lands allotted to the Indians irrigable thereunder, $1,000, to be reimbursed under such rules and regulations as may be prescribed by the Secretary of the Interior.

Pyramid Lake Reservation, Nev.
Operating system on.

For operation and maintenance of the irrigation system on the Pyramid Lake Reservation, Nevada, $4,000, reimbursable from any funds of the Indians of this reservation now or hereafter available.

Newlands project, Nev.
Paying charges on Paiute lands on.

For payment of annual installment of reclamation charges against Paiute Indian lands within the Newlands reclamation project, Nevada, $3,461; and for payment in advance, as provided by district law, of operation and maintenance assessments, including assessments for the operation of drains to the Truckee-Carson irrigation district, which district, under contract, is operating the Newlands reclamation project, $8,000; in all, $11,461.

Laguna and Acoma Indians, N. Mex.
Operating system for.

For improvement, operation, and maintenance of the irrigation system for the Laguna and Acoma Indians in New Mexico, $3,000, reimbursable by the Indians benefited, under such rules and regulations as the Secretary of the Interior may prescribe.

Navajo Reservation, N. Mex.
Operating Hogback project on.

For improvement, operation, and maintenance of the Hogback irrigation project on that part of the Navajo Reservation in New Mexico under the jurisdiction of the Northern Navajo Agency, $10,000, reimbursable under such rules and regulations as the Secretary of the Interior may prescribe.

New Mexico pueblos.
Repairing flood damages to irrigation systems on.

For repair of damage to irrigation systems resulting from flood and for flood protection of irrigable lands on the several pueblos in New Mexico, the unexpended balance of the appropriation for this purpose for the fiscal year 1929 shall be available for the same purpose for the fiscal year 1930.

Klamath Reservation, Oreg.
Operating projects on, from tribal funds.

For improvement, maintenance, and operation of miscellaneous irrigation projects on the Klamath Reservation, $5,000, to be paid from the funds held by the United States in trust for the Klamath Indians in the State of Oregon, said sum, or such part thereof as may be used,

to be reimbursed to the tribe under such rules and regulations as the Secretary of the Interior may prescribe.

Uncompahgre, etc., Utes, Utah.
Continuing irrigation to allotments of.
34 Stat., 375, vol. 3, 242.

For continuing operation and maintenance and betterment of the irrigation system to irrigate allotted lands of the Uncompahgre, Uintah, and White River Utes in Utah, authorized under the Act of June 21, 1906 (34 Stat., p. 375), $5,000, to be paid from tribal funds held by the United States in trust for said Indians, said sum to be reimbursed to the tribal fund by the individuals benefited under such rules and regulations as may be prescribed by the Secretary of the Interior: *Provided*, That not to exceed $500 of the amount herein appropriated shall be available for the purchase of a ditch rider's site on the project.

Proviso.
Ditch rider's site.

Yakima Reservation, Wash.
Operating Toppenish-Simcoe unit on.
41 Stat., 28, vol. 4, 218.

For operation and maintenance, including repairs, of the Toppenish-Simcoe irrigation unit, on the Yakima Reservation, Washington, reimbursable as provided by the Act of June 30, 1919 (41 Stat., p. 28), $1,000.

Reimbursing reclamation fund for furnishing stored water to reservation lands.
38 Stat., 604, vol. 4, 29.

For reimbursement to the reclamation fund the proportionate expense of operation and maintenance of the reservoirs for furnishing stored water to the lands in Yakima Indian Reservation, Washington, in accordance with the provisions of section 22 of the Act of August 1, 1914 (38 Stat., p. 604), $11,000.

Wapato project.
Operating Satus unit gravity project.

For operation and maintenance of the Satus unit of the Wapato project that can be irrigated by gravity from the drainage water from the Wapato project, Yakima Reservation, Washington, $1,000, to be reimbursed under such rules and regulations as the Secretary of the Interior may prescribe.[1]

Wind River Reservation, Wyo.
Extending irrigation to additional Indian lands, etc.

For the extension of canals and laterals on the ceded portion of the Wind River Reservation, Wyoming, to provide for the irrigation of additional Indian lands, and for the Indians' pro rata share of the cost of the operation and maintenance of canals and laterals and for the Indians' pro rata share of the cost of the Big Bend drainage project on the ceded portion of that reservation, and for continuing the work of constructing an irrigation system within the diminished reservation, including the Big Wind River and Dry Creek Canals, and including the maintenance and operation of completed canals, $5,000, reimbursable as provided by existing law.

UNEXPENDED BALANCES

Unexpended Indian balances covered into the Treasury.

The following unexpended balances of the appropriations hereinafter enumerated shall be covered into the Treasury and carried to the surplus fund immediately upon the approval of this Act:

Santa Fe, N. Mex., School.
39 Stat., 144, vol. 4, 74.

Assembly hall and gymnasium, Indian School, Santa Fe, New Mexico, Act of of May 18, 1916 (39 Stat., p. 144), $113.19;

Yakima Reservation, Wash.
Diversion dam, etc.
40 Stat., 588, vol. 4, 173.

Diversion dam, distribution and drainage system, Yakima Reservation, Washington (reimbursable), Act of May 25, 1918 (40 Stat., p. 588), $428.60;

Fort Belknap Reservation, Mont.
Enrollment, allotment, etc.
44 Stat., 1359, vol. 4, 319.

Enrollment, allotment, and so forth, Fort Belknap Reservation, Montana (reimbursable), Act of March 3, 1921 (41 Stat., p. 1359), $3,798.45;

In all, $4,340.24.

EDUCATION

Education.

Support of schools.

For the support of Indian day and industrial schools not otherwise provided for, and other educational and industrial purposes in connection therewith, $2,850,000: *Provided*, That not to exceed $10,000 of this

Provisos.

[1] 53 I. D. D., 632.

Deaf and dumb, blind, etc.
Alabamas and Coushattas, Tex.

appropriation may be used for the support and education of deaf and dumb or blind or mentally deficient Indian children: *Provided further*, That $3,500 of this appropriation may be used for the education and civilization of the Alabama and Coushatta Indians in Texas: *Provided further*, That all reservation and nonreservation boarding schools with an average attendance in any year of less than forty-five and eighty pupils, respectively, shall be discontinued on or before the beginning of the ensuing fiscal year. The pupils in schools so discontinued shall be transferred first, if possible, to Indian day schools or State public schools; second, to adjacent reservation or nonreservation boarding schools, to the limit of the capacity of said schools: *Provided further*, That all day schools with an average attendance in any year of less than eight shall be discontinued on or before the beginning of the ensuing fiscal year: *Provided further*, That all moneys appropriated for any school discontinued pursuant to this Act or for other cause shall be returned immediately to the Treasury of the United States: *Provided further*, That not more than $400,000 of the amount herein appropriated may be expended for the tuition of Indian children enrolled in the public schools under such rules and regulations as the Secretary of the Interior may prescribe, but formal contracts shall not be required, for compliance with section 3744 of the Revised Statutes (U. S. C., p. 1310, sec. 16), for payment of tuition of Indian children in public schools or of Indian children in schools for the deaf and dumb, blind, or mentally deficient: *Provided further*, That not less than $6,500 of the amount herein appropriated shall be available only for purchase of library books: *And provided further*, That not to exceed $10,000 of the amount herein appropriated shall be available for educating Indian youth in stock raising at the United States Range Livestock Experiment Station at Miles City, Montana.

Boarding schools with diminished attendance discontinued.

Pupils transferred.

Day schools discontinued.

Moneys returned into the Treasury.

Education in public schools.

No formal contracts.
R. S. sec. 3744, p. 738.
U. S. Code, p. 1310.

Amount for library books.

Education at Miles City Livestock Station, Mont.

Support of schools from Indian moneys.

For the support of Indian day and industrial schools, and other educational and industrial purposes in connection therewith, other than among the Five Civilized Tribes, there shall be expended from Indian tribal funds and from school revenues arising under the Act of May 17, 1926 (44 Stat., p. 560), not more than $850,000, including the following amounts from the principal sum on deposit to the credit of the Chippewa Indians in Minnesota, arising under section 7 of the Act approved January 14, 1889 (25 Stat., p. 645): $10,000 for the construction, equipment, and maintenance of public schools in connection with and under the control of the public-school system of the State of Minnesota, said school buildings to be located at places contiguous to Indian children who are now without proper public-school facilities, and $40,000 for remodeling and repairing and $70,000 for operating the White Earth boarding-school plant for the Chippewa Indians of Minnesota: *Provided*, That not more than $7,500 of the above authorization of $850,000 shall be expended for new construction at any one school unless herein expressly authorized.

44 Stat., 560, vol. 4, 548.

Chippewas in Minnesota.
25 Stat., 645, vol. 1, 305.

White Earth boarding school.
Proviso.
New construction expenses limited.

Five Civilized Tribes.
Tribal schools, etc., from Indian funds.

For the support of schools and for tuition among the Five Civilized Tribes, there may be expended from tribal funds of such nations $250,000 as follows: Seminole Nation, $33,000; Chickasaw Nation, $22,000; Choctaw Nation, $195,000, of which latter amount there may be expended $7,000 for addition to kitchen and bakery and remodeling dining hall at Wheelock Academy, and $18,000 for auditorium and gymnasium and equipment, $15,000 for dining hall and kitchen and equipment, $10,000 for employees' building and equipment and $3,500 for employees cottage, at Jones Male Academy.

Wheelock Academy.

Jones Male Academy.

Collecting, etc. pupils.

For collection and transportation of pupils to and from Indian and public schools, and for placing school pupils, with the consent of their parents, under the care and control of white families qualified to give them moral, industrial, and educational training, $90,000:

Provided, That not exceeding $7,000 of this sum may be used for obtaining remunerative employment for such pupils and, when necessary, for payment of transportation and other expenses to their places of employment: *Provided further*, That when practicable such transportation and expenses shall be refunded and shall be returned to the appropriation from which paid. The provisions of this section shall also apply to native Indian pupils of school age under twenty-one years of age brought from Alaska.

Provisos.
Obtaining employment.

Repayment.

Alaska pupils.

For lease, purchase, repair, and improvement of school buildings, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $275,000; for construction of physical improvements, $365,000; in all, $640,000: *Provided*, That not more than $7,500 out of this appropriation shall be expended for new construction at any one school or institution except for new construction authorized as follows: Chimopovy day school, Hopi Reservation, Arizona: For new schoolhouse, dining hall, kitchen, wash room, and toilet, $7,500; for electric-light plant, $1,000; in all, $8,500; Hoopa Valley school, California: For remodeling and improving girls' and boys' dormitories, $10,000; Ignacio boarding school, Colorado: For enlargement, including equipment, $90,000; Choctaws in Mississippi: For day-school plant, $10,000; Kiowa (Fort Sill) school, Oklahoma: For additions to girls' and boys' dormitories, including heating, toilets, and baths, $15,000; Cheyenne and Arapahoe school, Oklahoma: For enlarging girls' and boys' dormitories, including equipment, $21,500; Uintah boarding school, Utah: For dining hall and equipment, $15,000; Tulalip boarding school, Washington: For new dining hall and kitchen, including equipment, $13,500; Western Navajo boarding school, Arizona: For construction and equipment of a boys' dormitory, central heating plant, and mess hall, $125,000.

School buildings.
Lease, repairs, construction, etc.

Provisos.
Construction limit.

New construction at designated schools.

For repair, improvement, replacement, or construction of additional public-school buildings within Indian reservations in Arizona, attended by children of employees of the Indian Service, to be equipped and maintained by the State of Arizona, $25,000.

Schools for children of Indian Service in Arizona.
To be maintained by State.

For support and education of Indian pupils at the following boarding schools in not to exceed the following amounts, respectively:

Support, etc., of designated boarding schools.

Fort Mojave, Arizona: For two hundred and fifty pupils, $65,000; for pay of superintendent, drayage, and general repairs and improvements, $15,000; for addition to hospital, $6,000; for lavatory annexes, $6,400; for warehouse, $7,000; in all, $99,400;

Fort Mojave, Ariz.

Phoenix Arizona: For nine hundred and seventy-five pupils, including not to exceed $1,500 for printing and issuing school paper, $243,750; for pay of superintendent, drayage, and general repairs and improvements, $25,000; for new hospital and equipment, $65,000; for ammonia compressor, $4,000; in all, $337,750;

Phoenix, Ariz.

Truxton Canyon, Arizona: For two hundred and fifteen pupils, $55,900; for pay of superintendent, drayage, and general repairs and improvements, $10,000; in all, $65,900;

Truxton Canyon, Ariz.

Theodore Roosevelt Indian School, Fort Apache, Arizona: For four hundred and fifty pupils, $117,000; for pay of superintendent, drayage, and general repairs and improvements, $20,000; in all, $137,000;

Theodore Roosevelt, Fort Apache, Ariz.

Sherman Institute, Riverside, California: For one thousand pupils, including not to exceed $1,000 for printing and issuing school paper, $250,000; for pay of superintendent, drayage, and general repairs and improvements, $18,000; in all, $268,000;

Sherman Institute, Riverside, Calif.

Fort Bidwell Indian School, California: For one hundred pupils, $28,500; for pay of superintendent, drayage, and general repairs and improvements, $8,000; in all, $36,500;

Fort Bidwell, Calif.

Haskell Institute, Kans.

Haskell Institute, Lawrence, Kansas: For nine hundred pupils, including not to exceed $1,500 for printing and issuing school paper, $225,000; for pay of superintendent, drayage, purchase of water for domestic purposes, and general repairs and improvements, including necessary drainage work, $27,000; for remodeling engineering plant, $25,000; for the purchase of additional lands, $20,000; in all, $297,000;

Mount Pleasant, Mich.

Mount Pleasant, Michigan: For three hundred and seventy-five pupils, $97,500; for pay of superintendent, drayage, and general repairs and improvements, $15,000; for remodeling and repairing hospital, $10,000; for new boiler and boiler house, and repairs to heating, lighting, and water systems, $13,000; in all, $135,500;

Pipestone, Minn.

Pipestone, Minnesota: For three hundred pupils, $78,000; for pay of superintendent, drayage, and general repairs and improvements, $20,000, including $5,000 for commissary building; in all, $98,000;

Genoa, Nebr.

Genoa, Nebraska: For five hundred pupils, $130,000; for pay of superintendent, drayage, and general repairs and improvements, $18,000; for dairy barn and equipment, $4,500; for purchase of additional land, $50,000, to be immediately available; in all, $202,500;

Carson City, Nev.

Carson City, Nevada: For four hundred and fifty pupils, $117,000; for pay of superintendent, drayage, and general repairs and improvements, $18,000; in all, $135,000;

Albuquerque, N. Mex.

Albuquerque, New Mexico: For eight hundred and fifty pupils, $212,500; for pay of superintendent, drayage, and general repairs, and improvements, $15,000; for remodeling and repairing employees' quarters, $5,000; for dairy building and equipment, $10,000; in all, $242,500.

Santa Fe, N. Mex.

Santa Fe, New Mexico: For five hundred pupils, $130,000; for pay of superintendent, drayage, and general repairs and improvements, $15,000; in all, $145,000.

Charles H. Burke, Fort Wingate, N. Mex.

Charles H. Burke School, Fort Wingate, New Mexico: For six hundred pupils, $150,000; for pay of superintendent, drayage, and general repairs and improvements, $22,000; for dairy barn, $10,000; and for purchase of livestock, $10,000; in all, $192,000.

Cherokee, N. C.

Cherokee, North Carolina: For four hundred pupils, $104,000; for pay of superintendent, drayage, and general repairs and improvements, $10,000; for horse barn, $3,000; in all, $117,000: *Provided*, That not to exceed $90 of the appropriation of $10,000 for the purchase of additional land for school and other purposes, contained in the Interior Department Appropriation Act approved March 3, 1925 (43 Stat., p. 1157), is hereby made available until June 30, 1930, for compensating the Indian occupants of approximately six acres of land reserved for school purposes on the Cherokee Indian Reservation, North Carolina, for their improvements and possessory rights;

Proviso.
Payment to Indians for improvements, etc., on research lands.

43 Stat., 1157, vol. 4, 497.

Bismarck, N. Dak.

Bismarck, North Dakota: For one hundred and twenty-five pupils, $35,625; for pay of superintendent, drayage, and general repairs and improvements, $7,000; for employee's cottage, $4,750; in all, $47,375;

Fort Totten, N. Dak.

Fort Totten, North Dakota: For two hundred and fifty pupils, $65,000; for pay of superintendent, drayage, and general repairs and improvements, $15,000; for remodeling and enlarging hospital, $22,000; in all, $102,000;

Wahpeton, N. Dak.

Wahpeton, North Dakota: For three hundred and twenty-five pupils, $84,500; for pay of superintendent, drayage, and general repairs and improvements, $10,000; for reconditioning steam and water lines, $6,500; for addition to dairy barn, $4,000; for purchase of land, $8,500; and for fuel-burning equipment, $6,000; in all, $119,500;[1]

[1] 9 Comp. Gen. Dec. 421.

Chilocco, Oklahoma: For eight hundred and fifty pupils, including not to exceed $2,000 for printing and issuing school paper, $212,500; for pay of superintendent, drayage, and general repairs and improvements, $20,000; in all, $232,500; Chilocco, Okla.

Sequoyah Orphan Training School, near Tahlequah, Oklahoma: For three hundred orphan Indian children of the State of Oklahoma belonging to the restricted class, to be conducted as an industrial school under the direction of the Secretary of the Interior, $78,000; for pay of superintendent, drayage, and general repairs and improvements, $15,000; in all, $93,000; Sequoyah Orphan Training, Okla.

Bloomfield, Oklahoma: For one hundred and sixty pupils, $45,600; for pay of superintendent, drayage, and general repairs and improvements, $7,000; in all, $52,600. Bloomfield, Okla.

Euchee, Oklahoma: For one hundred and fifteen pupils, $32,775; for pay of superintendent, drayage, and general repairs and improvements, $7,000; in all, $39,775; Euchee, Okla.

Eufaula, Oklahoma: For one hundred and twenty-five pupils, $35,625; for pay of superintendent, drayage, and general repairs and improvements, including $1,000 for enlargement of hospital, $8,000; for dining hall and kitchen, including equipment, $15,000; in all, $58,625; Eufaula, Okla.

Chemawa, Salem, Oregon: For seven hundred and fifty pupils, including native Indian pupils brought from Alaska, including not to exceed $1,000 for printing and issuing school paper, $141,500, together with $46,000 of the unexpended balance for support of this school for the fiscal year 1929; for pay of superintendent, drayage, and general repairs and improvements, $20,000; for boys' dormitory and equipment, $70,000, to be immediately available; for boilers, $25,000; in all, $256,500: *Provided*, That except upon the individual order of the Secretary of the Interior no part of this appropriation shall be used for the support or education at said school of any native pupil brought from Alaska after January 1, 1925; Chemawa, Salem, Oreg.

Proviso.
Restriction on Alaska natives.

Flandreau, South Dakota: For four hundred pupils, $104,000; for pay of superintendent, drayage, and general repairs and improvements, $15,000; for hospital and equipment, $35,000; in all, $154,000; Flandreau, S. Dak.

Pierre, South Dakota: For three hundred pupils, $78,000; for pay of superintendent, drayage, and general repairs and improvements, $47,000, including $35,000 for enlarging and remodeling buildings; in all, $125,000; Pierre, S. Dak.

Hayward, Wisconsin: For one hundred and sixty pupils, $45,600; for pay of superintendent, drayage, and general repairs and improvements, $10,000, including $2,000 for a schoolroom and equipment; in all, $55,600; Hayward, Wis.

Tomah, Wisconsin: For three hundred and twenty-five pupils, $84,500; for pay of superintendent, drayage, and general repairs and improvements, $12,000; for employee's cottage, $3,500; for septic tank and extension of sewer line, $3,500; and for the Lindley M. Compton gymnasium and equipment, $30,000; in all, $133,500; Tomah, Wis.

In all, for above-named boarding schools, not to exceed $3,889,500: *Provided*, That not less than $6,000 of this amount shall be available only for purchase of library books.

Proviso.
Purchase of library books.

The Secretary of the Interior is authorized to withdraw from the Treasury of the United States, in his discretion, the sum of $35,000, or so much thereof as may be necessary, of the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota arising under section 7 of the Act of January 14, 1889 (25 Stat., p. 645), and to expend the same for payment of tuition for Chippewa

Chippewas of Minnesota.
Tuition of children in State schools from tribal funds.
25 Stat., 645, vol. 1, 305.

Indian children enrolled in the public schools of the State of Minnesota.

Chippewas of the Mississippi.
School for.
16 Stat., 720, vol. 2, 975.

For support of a school or schools for the Chippewas of the Mississippi in Minnesota (article 3, treaty of March 19, 1867), $4,000.

Osages in Oklahoma.
Educating children from tribal funds.
Proviso.
Saint Louis Boarding School.

For the education of Osage children, $8,000, to be paid from the funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma: *Provided*, That the expenditure of said money shall include the renewal of the present contract with the Saint Louis Mission boarding school, except that there shall not be expended more than $240 for annual support and education of any one pupil.

Five Civilized Tribes.
Common schools.

For aid to the common schools in the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Nations and the Quapaw Agency in Oklahoma, $250,000, to be expended in the discretion of the Secretary of the Interior, and under rules and regulations to be prescribed by him: *Provided*, That this appropriation shall not be subject to the limitation in section 1 of the Act of May 25, 1918 (U. S. C., p. 708, sec. 297), limiting the expenditure of money to educate children of less than one-fourth Indian blood.

Proviso.
Parentage limitation not applicable.
40 Stat., 564, vol. 4, 149.
U. S. Code, p. 708.

Sioux Indians.
Day and industrial schools.
19 Stat., 254, vol. 1, 170.

For support and maintenance of day and industrial schools among the Sioux Indians, including the erection and repairs of school buildings, in accordance with the provisions of article 5 of the agreement made and entered into September 26, 1876, and ratified February 28, 1877 (19 Stat., p. 254), $310,000, of which amount $10,000 shall be immediately available.

Uintah and Duchesne Counties, Utah.
Aid to school districts.

For aid of the public schools in Uintah and Duchesne County school districts, Utah, $6,000, to be paid from the tribal funds of the Confederated Bands of Ute Indians and to be expended under such rules and regulations as may be prescribed by the Secretary of the Interior: *Provided*, That Indian children shall at all times be admitted to such schools on an entire equality with white children.

Proviso.
Equality with white children.

Conservation of health.

CONSERVATION OF HEALTH

Expenses designated.

For conservation of health among Indians (except at boarding schools supported from specific appropriations, other than those named herein), including equipment, materials, and supplies; repairs and improvements to buildings and plants; compensation and traveling expenses of officers and employees, and renting of quarters for them when necessary; transportation of patients and attendants to and from hospitals and sanatoria; returning to their former homes and interring the remains of deceased patients; not exceeding $3,000 for expenses (not membership fees) of physicians and nurses when officially detailed, in the interest of health work among the Indians, to attend meetings of medical and health associations; and not exceeding $1,000 for circulars and pamphlets for use in preventing and suppressing trachoma and other contagious and infectious diseases, $2,658,600, including not to exceed the sum of $1,520,100 for the following-named hospitals and sanatoria:

Attendance at meetings.
Suppressing trachoma, etc.
Allotments to specified hospitals and sanatoria.

Arizona.

Arizona: Indian Oasis Hospital, $18,000; Kayenta Tuberculosis Sanatorium, $32,000; Fort Defiance Sanatorium, $38,000; Phoenix Sanatorium, $62,000; for infirmary and equipment, $30,000; in all, $92,000; Pima Hospital, $19,000; Truxton Canyon Hospital, $7,500; Western Navajo Hospital, $20,000; for adding wings, $20,000; in all, $40,000; Chin Lee Hospital, $9,000; Fort Apache Hospital, $25,000; Havasupai Hospital, $5,000; Hopi Hospital, $22,000; for new construction, including equipment, to double capacity, $35,000; in all, $57,000; Leupp Hospital, $24,000; San Carlos Hospital, $15,000; Southern Navajo General Hospital, $25,000; Tohatchi Hospital, $9,000;

Phoenix Boarding School Hospital, for care of reservation patients, $8,000;

California: Hoopa Valley Hospital, $16,000; Soboba Hospital, $17,000; Fort Bidwell Hospital, $12,000; Fort Yuma Hospital, $10,000; California.

Idaho: Fort Lapwai Sanatorium, $78,000; Fort Hall Hospital, $10,500; Idaho.

Iowa: Sac and Fox Sanatorium, $63,000; Iowa.

Mississippi: Choctaw Hospital, $14,000; for purchase of land, $3,100; in all, $17,100; Mississippi.

Montana: Blackfeet Hospital, $22,000; Fort Peck Hospital, $22,000; Crow Agency Hospital, $14,000; Fort Belknap Hospital, $9,000; Tongue River Hospital, $9,000; Montana.

Nebraska: Winnebago Hospital, $27,000; for milk room, $2,500; for improving water supply, $3,000; in all, $32,500; Nebraska.

Nevada: Carson Hospital, $18,100; Pyramid Lake Sanatorium, $28,000; Nevada.

New Mexico: Jicarilla Hospital, $11,800; Jicarilla Sanatorium, $36,000; Laguna Sanatorium, $29,000; Mescalero Hospital, $16,000; Eastern Navajo Hospital, $12,500; Northern Navajo Hospital, $20,000; Taos Hospital, $9,000; Zuni Sanatorium, $50,000; Albuquerque Boarding School Hospital, for care of reservation patients, $25,000; Charles H. Burke Boarding School Hospital, for care of reservation patients, $5,000; Santa Fe Boarding School Hospital, for care of reservation patients, $18,000; New Mexico.

North Carolina: Cherokee Boarding School Hospital, for care of reservation patients, $5,000; North Carolina.

North Dakota: Turtle Mountain Hospital, $13.000; Fort Berthold Hospital, $12,500; North Dakota.

Oklahoma: Cheyenne and Arapahoe Hospital, $25,000; Choctaw and Chickasaw Hospital, $45,000; Shawnee Sanatorium, $60,000; Claremore Hospital, $25,000; Seger Hospital, $7,000; Oklahoma.

South Dakota: Crow Creek Hospital, $10,000; Pine Ridge Hospital, $14,000; Rosebud Hospital, $20,000; Rapid City Sanatorium School, $94,600; South Dakota.

Washington: Yakima Sanatorium, $43,000; Tacoma Hospital, $100,000; Tulalip Hospital, $8,000; for physician's cottage, $4,000; in all, $12,000; Washington.

Provided, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures in the various hospitals named, but not more than 10 per centum shall be added to the amount appropriated for any one of said hospitals or for any particular item within any hospital, and any interchange of appropriations hereunder shall be reported to Congress in the annual Budget; *Provisos.* Interchangeable expenditure.

Provided further, That this appropriation shall be available for construction of hospitals and sanatoria, including equipment, as follows: Colorado River Hospital and physician's cottage, Arizona, $50,000; Oraibi Sanatorium, Arizona, $65,000; Fort Belknap Hospital, Montana, $50,000; Tongue River Hospital, Montana, $55,000, including water and sewer systems in connection therewith; Turtle Mountain Hospital, North Dakota, $50,000; Pawnee and Ponca Hospital, Oklahoma, $60,000; Pine Ridge Hospital, South Dakota, $65,000; Cheyenne River and Standing Rock Sanatorium, South Dakota, $70,000; Hayward Hospital, Wisconsin, $50,000; in all, $515,000. Construction authorized at designated hospitals.

For support of hospitals maintained for the benefit of the Chippewa Indians in the State of Minnesota, $90,000, payable from the principal sum on deposit to the credit of said Indians arising under section 7 of the Act of January 14, 1889 (25 Stat., p. 645). Chippewas in Minnesota. Hospitals from tribal funds. 25 Stat., 645, vol. 1, 305.

Onigum, Minn.

For construction, including equipment, of a sanatorium building on the Leech Lake Reservation at Onigum, Minnesota, $50,000, payable from funds on deposit in the Treasury to the credit of the Chippewa Indians of Minnesota.

Menominee Reservation, Wis.
Keshena Hospital.

For the construction and equipment of four pavilion additions to the Keshena Hospital on the Menominee Reservation, Wisconsin, $20,000, out of tribal funds of the Menominee Indians.

Health work.
Amount from trust funds available for.

There shall be available for health work among the several tribes of Indians not exceeding $275,000 of the tribal trust funds authorized elsewhere in this Act for support of Indians and administration of Indian property: *Provided*, That not more than $7,500 of such amount may be expended for new construction in connection with health activities at any one place.

Proviso.
New construction limited.

Canton, S. Dak.
Insane asylum expenses.

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, repairs, improvements, and for necessary expense of transporting insane Indians to and from said asylum, $48,500; for horse barn, $4,500; in all, $53,000.

Support and administration.

GENERAL SUPPORT AND ADMINISTRATION

Expenses.
Provisos.
Detailed report of Five Civilized Tribes expenditures.

For general support of Indians and administration of Indian property, including pay of employees, $925,000: *Provided*, That a report shall be made to Congress on the first Monday of December, 1930, by the Superintendent of the Five Civilized Tribes through the Secretary of the Interior showing in detail the expenditure of all moneys from this appropriation on behalf of the said Five Civilized Tribes: *Provided further*, That the position of Superintendent of the Five Civilized Tribes is hereby included within the competitive classified civil service and shall be subject to civil service laws and rules.

Superintendent of, placed under civil-service rules.

Fulfilling treaties.

Fulfilling treaties with Indians: For the purpose of discharging obligations of the United States under treaties and agreements with various tribes and bands of Indians as follows:

Coeur d'Alenes, Idaho.
26 Stat., 1029 (for citation to compilation volume, see ante, 28).

Coeur d'Alenes, Idaho (article 11, agreement of March 3, 1891), $3,900;

Bannocks, Idaho.
15 Stat., 696.

Bannocks, Idaho (article 10, treaty of July 3, 1868), $7,580;

Crows, Mont.
15 Stat., 652.

Crows, Montana (articles 8 and 10, treaty of May 7, 1868), $7,480;

Northern Cheyennes and Arapahoes, Mont.
19 Stat., 256.

Northern Cheyennes and Arapahoes, Montana (article 7, treaty of May 10, 1868, and agreement of February 28, 1877), $75,000;

Pawnees, Okla.
11 Stat., 731; 27 Stat., 644.

Pawnees, Oklahoma (articles 3 and 4, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), $51,000;

Quapaws, Okla.
7 Stat., 425.

Quapaws, Oklahoma (article 3, treaty of May 13, 1833), $2,280.

Sioux, different tribes.
15 Stat., 640; 19 Stat., 254.

Sioux of different tribes, including Santee Sioux of Nebraska, North Dakota, and South Dakota (articles 8 and 13, treaty of April 29, 1868, 15 Stat., p. 635, and Act of February 28, 1877, 19 Stat., p. 254), $390,000;

Utes, Confederated Bands.
15 Stat., 622.

Confederated Bands of Utes (articles 9, 12, and 15, treaty of March 2, 1868), $57,000;

Spokanes, Wash.
27 Stat., 139.

Spokanes, Washington (article 6, agreement of March 18, 1887), $1,320.

Shoshones, Wyo.
15 Stat., 675, 676.

Shoshones, Wyoming (articles 8 and 10, treaty of July 3, 1868), $8,000;

In all, for treaty stipulations, not to exceed $603,560.

Quapaw Agency.
Administering trust property of Indians under.
41 Stat., 415.
U. S. Code, p. 720.

For expenses incident to the administration of the restricted or trust property of Indians under the Quapaw Indian Agency, $16,000, reimbursable to the United States, as provided in the Act of February 14, 1920 (U. S. C., p. 720, sec. 413).

For general support of Indians and administration of Indian property under the jurisdiction of the following agencies, to be paid from the funds held by the United States in trust for the respective tribes, in not to exceed the following sums, respectively:

General support, etc., at specified agencies from tribal funds.

Arizona: Colorado River, $2,500; Fort Apache, $129,000, of which $5,000 may be used for construction, repairs, and improvements at the agency plant; Paiute, $7,200; Pima, $3,000; Salt River, $1,000; San Carlos, $82,300; Truxton Canyon, $36,100; in all, $261,100;

Arizona.

California: Mission, $500; Round Valley, $5,000; Tule River, $200; in all, $5,700;

California.

Colorado: Consolidated Ute (Southern Ute, $5,400; Ute Mountain, $15,000); in all, $20,400;

Colorado.

Idaho: Coeur d'Alene, $15,800; Fort Hall, $27,100; Fort Lapwai, $14,800; in all, $57,700;

Idaho.

Iowa: Sac and Fox, $600: *Provided*, That no part of this appropriation shall be available for the payment of taxes on any lands held in trust by the United States for the benefit of said Indians;[1]

Iowa.
Proviso.
No tax on trust lands.

Kansas: Pottawatomie, $2,900;

Kansas.

Michigan: Mackinac, $200;

Michigan.

Minnesota: Consolidated Chippewa, $1,500; Red Lake, $61,900, payable out of trust funds of Red Lake Indians; in all, $63,400;

Minnesota.

Montana: Blackfeet, $5,000; Flathead, $42,000; Fort Peck, $15,100; Tongue River, $15,300; Rocky Boy, $3,600; in all, $81,000;

Montana.

Nebraska: Omaha, $1,000;

Nebraska.

Nevada: Carson (Pyramid Lake), $5,200; Walker River, $400; Western Shoshone, $16,200; in all, $21,800;

Nevada.

New Mexico: Jicarilla, $60,000; Mescalero, $55,000; Navajo, $110,000, to be apportioned among the several Navajo jurisdictions in Arizona and New Mexico; in all, $225,000;

New Mexico.

North Dakota: Fort Berthold, $5,100; Standing Rock, $41,800; in all, $46,900;

North Dakota.

Oklahoma: Ponca (Otoe, $1,200; Ponca, $2,600; Tonkawa, $700), $4,500; Sac and Fox, $3,000; Kiowa, Comanche, and Apache, $60,000; Cheyennes and Arapahoes, $17,100; in all, $84,600;

Oklahoma.

Oregon: Klamath, $163,300, of which $10,000 may be used for construction, repair, and improvement of buildings at the agency plant; Umatilla, $9,600; Warm Springs, $30,500; in all, $203,400;

Oregon.

South Dakota: Cheyenne River, $92,900; Pine Ridge, $7,000; Lower Brule, $5,100; in all, $105,000;

South Dakota.

Utah: Uintah and Ouray, $15,200: *Provided*, That not to exceed $500 of this amount may be used to pay part of the expenses of the State Experimental Farm, located near Fort Duchesne, Utah, within the Uintah and Ouray Indian Reservation;

Utah.
Proviso.
State Experimental Farm.

Washington: Colville, $33,400; Neah Bay, $5,300; Puyallup, $4,000; Spokane, $19,400; Taholah (Quinaielt), $11,300; Yakima, $37,400; in all, $110,800;

Washington.

Wisconsin: Lac du Flambeau, $1,200; Keshena, $56,250, including $4,000 for remodeling an agency building so as to adapt it for use as a home for old and indigent Menominee Indians, and $4,750 for equipment, furniture and furnishings, operation and upkeep, and $5,000 for monthly allowances, under such rules and regulations as the Secretary of the Interior may prescribe, to such old and indigent members of the tribe as it is impracticable to place in the home and who reside with relatives or friends; in all, $57,450.

Wisconsin.

Home for indigent Menominees at Keshena.

Wyoming: Shoshone, $73,400.

Wyoming.

In all, not to exceed $1,437,550.

[1] 53 I. D. D. 190.

Chippewas in Minnesota.

For general support, administration of property, and promotion of self-support among the Chippewa Indians in the State of Minnesota $80,000, to be paid from the principal sum on deposit to the credit of said Indians, arising under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota," approved January 14, 1889 (25 Stat., p. 645), to be used exclusively for the purposes following: Not exceeding $50,000 of this amount may be expended for general agency purposes; not exceeding $30,000 may be expended in aiding indigent Chippewa Indians upon the condition that any funds used in support of a member of the tribe shall be reimbursed out of and become a lien against any individual property of which such member may now or hereafter become seized or possessed, the two preceding requirements not to apply to any old, infirm, or indigent Indian, in the discretion of the Secretary of the Interior: *Provided*, That not to exceed $10,000 of the principal funds on deposit to the credit of the Chippewa Indians of Minnesota shall be immediately available for the purpose of aiding indigent Chippewa Indians upon the conditions herein named.[1]

General support, administering property, etc.
25 Stat., 645, vol. 1, 305.
Purposes specified.

Aiding indigent Indians.
Condition.

Proviso.
Amount immediately available.

Choctaw and Chickasaws.
Per capita payments expenses.

For the expenses of per capita payments to the enrolled members of the Choctaw and Chickasaw Tribes of Indians, $5,000, to be paid from the funds held by the United States in trust for said Indians.

Five Civilized Tribes.
Apportionment of allotments for fiscal year.

For the current fiscal year, money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, salaries and contingent expenses of the governor of the Chickasaw Nation and chief of the Choctaw Nation and one mining trustee for the Choctaw and Chickasaw Nations at salaries at the rate heretofore paid for the said governor and said chief and $2,000 for the said mining trustee, and the chief of the Creek Nation at a salary not to exceed $600 per annum, and one attorney each for the Choctaw and Chickasaw Tribes employed under contract approved by the President under existing law: *Provided*, That the expenses of any of the above-named officials shall not exceed $2,500 per annum each for chiefs and governor except in the case of tribal attorneys, whose expenses shall be determined and limited by the Commissioner of Indian Affairs, not to exceed $4,000 each.

Specified salaries.

Proviso.
Pay restriction.

Choctaw and Chickasaw Nations.

There is hereby authorized to be expended, out of any money now standing to the credit of the Choctaw and Chickasaw Nations of Indians, or to the credit of either of said nations, in the Treasury of the United States, the sum of not exceeding $30,000, to be paid, in the discretion of the Secretary of the Interior, to attorneys for said Choctaw and Chickasaw Nations of Indians, or to the attorneys for either of said Indian nations, employed under the authority of the Act approved June 7, 1924 (43 Stat., p. 537), the payments to be made in such sums as may be necessary to reimburse said attorneys for such proper and necessary expenses as may have been incurred or may be incurred in the investigation of records and preparation, institution, and prosecution of suits of the Choctaw and Chickasaw Nations of Indians, or of either of said Indian nations, against the United States under the above-mentioned Act of June 7, 1924: *Provided, however*, That the claims of the attorneys shall be filed by said attorneys with the Secretary of the Interior and shall be accompanied by the attorneys' itemized and verified statement of the expenditures for expenses and by proper vouchers, and that the claims so submitted shall be subject to the approval of the Secretary of the Interior: *Provided further*, That any sums allowed and paid under this Act to the attorneys

Sum authorized for attorneys thereof, in suits in Court of Claims.

43 Stat., 537, vol. 4, 450.
Reimbursement for expenses, etc.

Provisos.
Submission of claims.

Reimbursable from amount decreed by court.

[1] 307 U. S., 5; 87 Ct. Cls., 1; 88 Ct. Cls. 1.

shall be reimbursable to the credit of the Choctaw and Chickasaw Nations of Indians, or to the credit of either of said Indian nations, as the case may be, out of any amount or amounts which may hereafter be decreed by the Court of Claims to said attorneys for their services and expenses in connection with the tribal claims and suits of the Choctaw and Chickasaw Nations of Indians, or of either of said Indian nations, under the above-mentioned Act of June 7, 1924.[1]

Seminole Nation.
Sum authorized for attorneys thereof, in suits in Court of Claims.

There is hereby authorized to be expended, out of any money now standing to the credit of the Seminole Nation of Indians in the Treasury of the United States, the sum of not exceeding $5,000 to be paid, in the discretion of the Secretary of the Interior, to attorneys for said Seminole Nation of Indians employed under the authority of the Act of Congress approved May 20, 1924 (43 Stat., pp. 133–134), the payments to be made in such sums as may be necessary to reimburse the attorneys for such proper and necessary expenses as may have been incurred or may be incurred in the investigation of records and preparation, institution, and prosecution of suits of the Seminole Nation of Indians against the United States under the above-mentioned Act of May 20, 1924: *Provided further*, That the claims of the attorneys shall be filed by said attorneys with the Secretary of the Interior and shall be accompanied by the attorneys' itemized and verified statement of the expenditures for expenses and by proper vouchers, and that the claims so submitted shall be subject to the approval of the Secretary of the Interior: *Provided further*, That any sums allowed and paid under this Act to the attorneys shall be reimbursable to the credit of the Seminole Nation out of any amount or amounts which may hereafter be decreed by the Court of Claims to said attorneys for their services and expenses in connection with the Seminole tribal claims and suits under the above-mentioned Act of May 20, 1924.

43 Stat., 134, vol. 4, 414.
Reimbursement for expenses, etc.

Provisos.
Submission of claims etc.

Reimbursable from amount decreed by court.

For the support of the Osage Agency, including repairs to buildings, and pay of tribal officers, the tribal attorney and his stenographer, and employees of said agency, $180,000, to be paid from the funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma.

Osages, Okla.
Agency expenses from trust funds.

For necessary expenses in connection with oil and gas production on the Osage Reservation, including salaries of employees, rent of quarters for employees, traveling expenses, printing, telegraphing and telephoning, and purchase, repair, and operation of automobiles, $80,000, to be paid from the funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma.

Oil and gas production expenses from tribal funds.

For expenses incurred in connection with visits to Washington, District of Columbia, by the Osage Tribal Council and other members of said tribe, when duly authorized or approved by the Secretary of the Interior, $10,000, to be paid from the funds held by the United States in trust for the Osage Tribe.

Visits by Tribal Council, etc., to Washington, D. C.

The sum of $123,000 is hereby appropriated out of the principal funds to the credit of the Confederated Bands of Ute Indians, the sum of $48,000 of said amount for the benefit of the Ute Mountain (formerly Navajo Springs) Band of said Indians in Colorado, and the sum of $45,000 of said amount for the Uintah, White River, and Uncompahgre Bands of Ute Indians in Utah, and the sum of $30,000 of said amount for the Southern Ute Indians in Colorado, which sums shall be charged to said bands, and the Secretary of the Interior is also authorized to withdraw from the Treasury the accrued interest to and including June 30, 1929, on the funds of the said Confederated Bands of Ute Indians appropriated under the Act of March 4, 1913 (37 Stat., p. 934), and to expend or distribute the same for

Confederated Bands of Utes.
Distribution to, from tribal principal funds.

Self support and administering property, from accrued interest
37 Stat., 934, vol. 3, 559.

[1] 9 Comp. Gen. Dec., 468.

the purpose of administering the property of and promoting self-support among the said Indians, under such regulations as the Secretary of the Interior may prescribe: *Provided*, That none of the funds in this paragraph shall be expended on road construction unless, wherever practicable, preference shall be given to Indians in the employment of labor on all roads constructed from the sums herein appropriated from the funds of the Confederated Bands of Utes.

Proviso.
Restriction on road construction.

Roads and bridges.

ROADS AND BRIDGES

Red Lake Reservation, Minn.
Construction, etc., from Chippewa trust funds.

For the construction and repair of roads and bridges on the Red Lake Indian Reservation, including the purchase of material, equipment, and supplies, and the employment of labor, $15,000, to be paid from the funds held by the United States in trust for the Red Lake Band of Chippewa Indians in the State of Minnesota: *Provided*, That Indian labor shall be employed as far as practicable.

Proviso.
Indian labor.

Santa Clara Reservation, N. Mex.
Road to Puye Cliff Ruins.
Payment to Harvey Company for constructing.
45 Stat., 225; ante, 31.

Not more than $4,000 of the unexpended balance of the appropriation for repair and maintenance of the road on the Santa Clara Indian Reservation, New Mexico, leading to the Puye Cliff Ruins, contained in the Act of March 7, 1928 (45 Stat., p. 212), shall be available for repayment to the Harvey Company for cost of construction of said road: *Provided*, That an admission fee of not less than 50 cents each for all persons sixteen years of age or over for the Puye Cliff Ruins is authorized and the proceeds from such fee of admission, less the cost of protection and administration of the ruins, shall be deposited in the Treasury of the United States to the credit of the Santa Clara Pueblo, and shall bear interest at the rate of 4 per centum.

Proviso.
Admission fee charged.
Proceeds to credit of Santa Clara Pueblo.

Construction, etc.
Roads on reservation not eligible to aid under Federal Highway Act.

For the construction, repair, and maintenance of roads on Indian reservations not eligible to Government aid under the Federal Highway Act, including engineering and supervision and the purchase of material, equipment, supplies, and the employment of Indian labor, $250,000, to be immediately available: *Provided*, That where practicable the Secretary of the Interior shall arrange with the local authorities to defray the maintenance expenses of roads constructed hereunder, and to cooperate in such construction.

Proviso.
Cooperation, etc., of local authorities.

Menominee Reservations, Wis.
Construction of two bridges on.

For the construction of two bridges on the Menominee Reservation, Wisconsin, $6,000, payable from funds on deposit in the Treasury to the credit of the Menominee Tribe.

Erection of monuments.

ERECTION OF MONUMENTS

Osages, Okla.
Memorial to, who died during World War.
43 Stat., 1162, vol. 4, 503.
Balance available.

The unexpended balance of the appropriation of $25,000 from tribal funds of the Osage Indians, made in the Act of March 3, 1925 (43 Stat., p. 1162), for the erection of a monument as a memorial to Indians of that tribe who gave their lives in the recent war with Germany, is hereby made available until June 30, 1930, for the erection of a memorial to Indians of that tribe who served in such war.

Sioux and Pawnee Indians.
Memorial on site of battle between.
45 Stat., 939; ante, 63.

For the erection of a suitable monument and historical tablets at or near the site of the battle between the Sioux and Pawnee Indians in Hitchcock County, Nebraska, pursuant to the terms and conditions of the Act of May 29, 1928 (45 Stat., p. 939), $7,500: *Provided*, That no part of this appropriation shall be available for the purchase of a site.

Proviso.
Not available for site.

Annuities, etc.

ANNUITIES AND PER CAPITA PAYMENTS

Senecas, N. Y.
Vol. 4, p. 443.

For fullfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831, 4 Stat., p. 442), $6,000.

For fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), $4,500.

Six Nations, N. Y.
7 Stat., 46 (for citation to Compilation volume, see ante, 28).

For fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty of June 22, 1855), $3,000; for permanent annuity for support of light horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), $600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $320; in all, $10,520.

Choctaws, Okla.
7 Stat., 99, 212, 213, 236; vol. 2, 58, 192, 211, 706.

11 Stat., 614.

To carry out the provisions of the Chippewa treaty of September 30, 1854 (10 Stat., p. 1109), $10,000, in part settlement of the amount, $141,000, found due and heretofore approved for the Saint Croix Chippewa Indians of Wisconsin, whose names appear on the final roll prepared by the Secretary of the Interior pursuant to Act of August 1, 1914 (38 Stat., pp. 582–605), and contained in House Document Numbered 1663, said sum of $10,000 to be expended in the purchase of land or for the benefit of said Indians by the Commissioner of Indian Affairs: *Provided*, That, in the discretion of the Commissioner of Indian Affairs, the per capita share of any of said Indians under this appropriation may be paid in cash.

Saint Croix Chippewas, Wis.
Purchase of land for, etc.
10 Stat., 1109.

38 Stat., 606, vol. 4, 32.

Proviso.
Discretionary cash payment.

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NATIONAL PARK SERVICE

National Park Service.

* * * * * * *

Glacier National Park, Montana: For administration, protection, and maintenance, including necessary repairs to the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary, including not exceeding $800 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, including $15,000 for fire prevention, $183,000; for construction of physical improvements, $36,400, including not exceeding $13,860, for the construction of buildings, of which not exceeding $3,235 shall be available for the residence for the chief mechanic, $5,000 for a residence for the United States Commissioner, $4,055 for fire caches and three fire lookout towers, $310 for the completion of a bunkhouse, $200 for the completion of a mess house, $600 for the completion of a duplex cottage, and $10,350 for one-third of the cost of constructing a telephone line partly outside the park boundary; in all, $219,400.

Glacier, Mont.

* * * * * * *

Construction, and so forth, of roads and trails: For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in national parks and monuments under the jurisdiction of the Department of the Interior, including the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary, and the grand Canyon Highway from the National Old Trails Highway to the south boundary of the Grand Canyon National Park as authorized by the Act approved June 5, 1924 (43 Stat., p. 423), and including that part of the Wawona Road in

Roads and trails.
Construction, etc., of, in parks and monuments.
Special authorizations.

43 Stat., 423.

the Sierra National Forest between the Yosemite National Park boundary two miles north of Wawona and the park boundary near the Mariposa Grove of Big Trees, and that part of the Yakima Park Highway between the Mount Ranier National Park boundary and connecting with the Cayuse Pass State Highway, to be immediately available and remain available until expended, $5,000,000, which includes $4,000,000, the amount of the contractual authorization contained in the Act making appropriations for the Department of the Interior for the fiscal year 1929, approved March 7, 1928 (45 Stat., pp. 237, 238): *Provided*, That not to exceed $18,000 of the amount herein appropriated may be expended for personal services in the District of Columbia during the fiscal year 1930: *Provided further*, That in addition to the amount herein appropriated the Secretary of the Interior may also approve projects, incur obligations, and enter into contracts for additional work not exceeding a total of $2,500,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof and appropriations hereafter made for the construction of roads in national parks and monuments shall be considered available for the purpose of discharging the obligation so created.

45 Stat., 237; ante, 32.

Provisos.
Services in the District.

Contracts for approved projects deemed Federal obligations.

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Education Bureau.

BUREAU OF EDUCATION

* * * * * * *

Alaska.

WORK IN ALASKA

Education of natives.

Education in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for the education and support of the Eskimos, Aleuts, Indians, and other natives, of Alaska, including necessary traveling expenses of pupils to and from industrial boarding schools in Alaska; erection, purchase, repair, and rental of school buildings; textbooks and industrial apparatus; pay and necessary traveling expenses of superintendents, teachers, physicians, and other employees; repair, equipment, maintenance, and operation of United States ship Boxer; and all other necessary miscellaneous expenses which are not included under the above special heads, including $299,400 for salaries in the District of Columbia and elsewhere, $16,000 for traveling expenses, $125,000 for equipment, supplies, fuel, and light, $17,500 for repairs of buildings, $64,000 for purchase or erection of buildings, $50,000 for freight, including operation of United States ship Boxer, $4,000 for equipment and repairs to United States ship Boxer, $3,000 for rentals, and $1,500 for telephone and telegraph; total, $580,400, to be immediately available: *Provided*, That not to exceed 10 per centum of the amounts appropriated for the various items in this paragraph shall be available interchangeably for expenditures on the objects included in this paragraph, but no more than 10 per centum shall be added to any one item of appropriation except in cases of extraordinary emergency and then only upon the written order of the Secretary of the Interior: *Provided further*, That of said sum not exceeding $8,000 may be expended for personal services in the District of Columbia: *Provided further*, That all expenditures of money appropriated herein for school purposes in Alaska for schools other than those for the education of white children under the jurisdiction of the governor thereof shall be under the supervision and direction of the Commissioner of Education and in conformity with such conditions, rules, and regulations as to conduct and methods of instruction and

Specified allotments.

Provisos.
Interchangeable amounts.

Services in the District.

Supervision of expenditures by Commissioner of Education.

expenditures of money as may from time to time be recommended by him and approved by the Secretary of the Interior.

Medical relief of natives.

Medical relief in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, with the advice and cooperation of the Public Health Service, to provide for the medical and sanitary relief of the Eskimos, Aleuts, Indians, and other natives of Alaska; erection, purchase, repair, rental, and equipment of hospital buildings; books and surgical apparatus; pay and necessary traveling expenses of physicians, nurses, and other employees, and all other necessary miscellaneous expenses which are not included under the above special heads, $171,780, to be available immediately.

* * * * * * *

Field work appropriations available for work animals, vehicles, etc.

SEC. 2. Appropriations herein made for field work under the General Land Office, the Bureau of Indian Affairs, the Bureau of Reclamation, the Geological Survey, and the National Park Service shall be available for the hire, with or without personal services, of work animals and animal-drawn and motor-propelled vehicles and equipment.

Approved, March 4, 1929.

March 4, 1929.
[H. R. 15848.]
45 Stat., 1607.

CHAP. 706.—An Act Making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1929, and prior fiscal years, to provide urgent supplemental appropriations for the fiscal year ending June 30, 1929, and for other purposes

First Deficiency Act, 1929.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1929, and prior fiscal years, to provide urgent supplemental appropriations for the fiscal year ending June 30, 1929, and for other purposes, namely:

* * * * * * *

INTERIOR DEPARTMENT

Interior Department.

* * * * * * *

BUREAU OF INDIAN AFFAIRS

Indian Affairs Bureau.

General support, etc.

Support of Indians and administration of Indian property: For an additional amount for general support of Indians, including Sioux Indians, and for administration of Indian property, including pay of employees, fiscal year 1929, $30,000.

Haskell Institute, Kansas.
Repairing flood damages.

For repairing dikes, opening ditches, repairing bridges, repairing and rebuilding fences, and so forth, at Haskell Institute, Lawrence, Kansas, damaged by flood, $7,400; and for replacement of hay, grain, and feed destroyed by flood, $1,600; total, $9,000.

* * * * * * *

AUDITED CLAIMS

Audited claims.

Payment of, certified by General Accounting Office.

18 Stat., 110.
U. S. Code, p. 1022.

SEC. 2. That for the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., p. 1022, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1926 and prior years, unless otherwise stated, and which have been certified to Congress under sec-

23 Stat., 254.
U. S. Code, p. 43.

tion 2 of the Act of July 7, 1884 (U. S. C., p. 43, sec. 266), as fully set forth in House Document Numbered 468, Seventieth Congress, there is appropriated as follows:

* * * * * *

Interior Department.

DEPARTMENT OF THE INTERIOR

* * * * * * *

For general expenses, Indian Service, $2.76.

For purchase and transportation of Indian supplies, $509.12.

For equalizing allotments, Chickasaw freedmen, Five Civilized Tribes, $8.40.

For water supply, Navajo and Hopi Indians, Arizona, $48.

For irrigation project, Gila River Reservation, Arizona (reimbursable), $30.

For Indian schools, support, $809.40.

For Indian boarding schools, $69.63.

For relieving distress and prevention, and so forth, of diseases among Indians, $253.41.

For support and civilization of Indians, $66.50.

For support of Indians in California, $5.10.

For support of Indians in New Mexico, $7.20.

For support of Northern Cheyennes and Arapahoes, Montana, $166.50.

Audited claims.

AUDITED CLAIMS

Payment of additional.

SEC. 3. That for the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., p. 1022, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1926 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., p. 43, sec. 266), as fully set forth in Senate Document Numbered 195, Seventieth Congress, there is appropriated as follows:

18 Stat., 110.
U. S. Code, p. 1022.

23 Stat., 254.
U. S. Code, p. 43.

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Interior Department.

DEPARTMENT OF INTERIOR

* * * * * * *

For relieving distress and prevention, and so forth, of diseases among Indians, $18.

For Indian schools, support, $130.72.

For support and civilization of Indians, $189.

For support of Indians in California, $2.63.

* * * * * * *

Approved, March 4, 1929.

March 4, 1929.
[H. R. 17223.]
45 Stat., 1623.

CHAP. 707.—An Act Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1929, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1929, and June 30, 1930, and for other purposes

Second Deficiency Act, 1929.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for

the fiscal year ending June 30, 1929, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1929, and June 30, 1930, and for other purposes, namely:

* * * * * * *

INTERIOR DEPARTMENT

Interior Department.

* * * * * * *

BUREAU OF INDIAN AFFAIRS

Indian Affairs Bureau.

Supplies, purchase, transportation, etc.

Purchase and transportation of Indian supplies: For expenses necessary to the purchase of goods and supplies for the Indian Service, including inspection, pay of necessary employees, and all other expenses connected therewith, including advertising, storage, and transportation of Indian goods and supplies, to cover the payment of bills presented within the statutory time limitation, for the fiscal years that follow:

For 1927, $1,842.13;

For 1928, $75,000.

Hopi and Navajo Indians.
Payment for destroyed diseased livestock, of.

Suppressing contagious diseases among livestock of Indians: For reimbursing Hopi and Navajo Indians for cattle that died, or were destroyed, in connection with dipping operations for the eradication of scabies during the fiscal year 1926, fiscal year 1926, $3,378.

Suppressing contagious diseases among livestock.
Reimbursement for destroyed animals.

Suppressing contagious diseases among livestock of Indians: For reimbursing Indians for livestock destroyed since July 1, 1928, on account of being infected with dourine, including not to exceed $5,000 for expenses in connection with the work of eradicating and preventing such disease, to be expended under such rules and regulations as the Secretary of the Interior may prescribe, fiscal years 1929 and 1930, $15,000, of which amount not to exceed $4,500 shall be available for reimbursing Indians for stock killed during the fiscal years 1927 and 1928 on account of being infected with dourine.

Kayenta Tuberculosis Indian Sanatorium, Arizona telephone line.

Ante, 73.

Construction of telephone line from Flagstaff to Kayenta, Arizona: For construction and equipment of a telephone line from Flagstaff to Kayenta, Arizona, via Western Navajo Agency at Tuba City, as authorized by the Act of January 14, 1929 (Public, Numbered 662), fiscal years 1929 and 1930, $35,000.

Northern Cheyenne Reservation, Mont.
Expenses allotting lands on.

44 Stat., 690, vol. 4, 556.

Surveys, allotments, and so forth, Northern Cheyenne Reservation, Montana: For expenses of compiling lists of lands, surveys, and classifications, and all other expenses connected with the allotments authorized by the Act entitled "An Act to provide for allotting in severalty lands within the Northern Cheyenne Indian Reservation, Montana, and for other purposes," approved June 3, 1926 (44 Stat., p. 690), fiscal years 1929 and 1930, $13,000.

Picuris Pueblo, N. Mex.
Compensation for property losses.

43 Stat., 636, vol. 4, 454.

Compensation to Picuris Pueblo, New Mexico: To compensate the Picuris Pueblo Indians in the State of New Mexico for loss of lands and water rights, in accordance with the findings of the Pueblo Lands Board created by section 2 of the Act approved June 7, 1924 (43 Stat., p. 636), $47,132.90, which shall be placed on the books of the Treasury to the credit of said Indians, shall draw interest at the rate of 4 per centum per annum, and shall be subject to future appropriation by Congress: *Provided*, That $7,684.50 of this amount shall be available for the purchase of 118.567 acres of land for the use and benefit of these Indians and shall remain available until June 30, 1930.[1]

Proviso.
Purchase of land for Indians.

[1] 52 I. D. D., 696.

Timber sales, etc., expenses.

Expenses incidental to the sale of timber: For expenses incidental to the sale of timber, and for the expenses of administration of Indian forest lands from which timber is sold to the extent that the proceeds of such sales are sufficient for that purpose, fiscal year 1929, $15,000, reimbursable to the United States as provided in the Act of February 14, 1920 (41 Stat., p. 415).

Reimbursable.
41 Stat., 415, vol. 4, 238.

Geological Survey.
Supervising mining operations on leased lands, etc., by.

26 Stat., 795, vol. 1, 57; 35 Stat., 312, 444, 783, vol. 3, 351, 356, 390, 683.
U. S. Code, p. 717.

Supervising mining operations on leased Indian lands: For transfer to the Geological Survey for expenditures to be made in inspecting mines and examining mineral deposits on Indian lands and in supervising mining operations on restricted, tribal, and allotted Indian lands leased under provisions of the Acts of February 28, 1891 (26 Stat., p. 795), May 27, 1908 (35 Stat., p. 312), March 3, 1909 (U. S. C., p. 717, sec. 396), and other Acts authorizing the leasing of such lands for mining purposes, fiscal year 1929, $10,000.

Coolidge Dam, Gila River, Ariz.
Construction of, under San Carlos project.

43 Stat., 475, vol. 4, 447.
Reimbursable.

Provisos.
Cost increased.

Coolidge Dam across canyon of Gila River near San Carlos, Arizona (reimbursable): For completing construction of the Coolidge Dam across the canyon of the Gila River near San Carlos, Arizona, as authorized by the Act of June 7, 1924 (43 Stat., pp. 475–476), and under the terms and conditions of and reimbursable as provided in said Act, $263,000: *Provided*, That the limitation of cost of said dam, exclusive of power development, is hereby increased to $5,638,000: *Provided further*, That not to exceed $7,100 of this sum may be used for completing the cementing of Indian graves within the flow area of the San Carlos Reservoir: *Provided further*, That any unexpended balances of appropriations made pursuant to said Act of June 7, 1924, are hereby continued available for the same purposes until June 30, 1930.

Cementing Indian graves.
Unexpended balances continued.

San Carlos Reservation, Ariz.
Power plant, Coolidge Dam.

45 Stat., 210; ante, 16.
43 Stat., 475, vol. 4, 447.

Proviso.
Amount for power development increased.

Power plant, Coolidge Dam, San Carlos Reservation, Arizona: For continuing construction of a power plant for the development of electrical power at the Coolidge Dam as an incident to the use of Coolidge Reservoir, authorized by the Act of Congress approved March 7, 1928 (45 Stat., p. 200), $62,500, under the terms and conditions of and reimbursable as provided in the Act of June 7, 1924 (43 Stat., pp. 475–476), as supplemented or amended: *Provided*, That the limitation heretofore placed at $350,000 for the development of electrical power at Coolidge Dam is hereby increased to $412,500.

Western Shoshone Reservation, Nev.
Water supply survey.

Survey of water supply, Western Shoshone Reservation, Nevada: For the purpose of making a detailed survey of the water supply for the Western Shoshone or Duck Valley Indian Reservation, situated in the States of Nevada and Idaho, fiscal years 1929 and 1930, $3,500.

Drainage assessments, restricted lands, Oklahoma.
Ante, 75.

Drainage assessments on Indian lands, Oklahoma: For carrying out the provisions of the Act entitled "An Act to amend section 3 of Public Act Numbered 230 (37 Stat. L., p. 194)," approved February 7, 1929, fiscal year 1929, $2,720.94.

Flathead irrigation, project, Montana.

Construction.
45 Stat., 212.
Ante, 18.

Flathead irrigation project, Montana: Not exceeding $220,000 of the unexpended balance of the appropriation of $395,000 made available by the Interior Department appropriation Act for the fiscal year 1929 for the construction and operation of a power-distributing system and for purchase of power for said project, may be used, in the discretion of the Secretary of the Interior, during the fiscal years 1929 and 1930, for the purposes and in the amounts specified, as follows: $10,000, for betterment work on Camas A. Canal; $25,000, for lateral extensions and replacement of wooden structures in the Mission Valley; $45,000, for completion of the Dry Creek Canal; $40,000, for part enlargement of Taber Reservoir; and $100,000, for part construction of Kickinghorse Reservoir, of which sum not to exceed $15,000 may be used for classification of land in the Flathead irrigation project: *Provided*, That any portion remaining under such unexpended balance

Objects specified.
Camas A. Canal.
Mission Valley, lateral extensions, etc.
Dry Creek Canal.
Taber Reservoir.
Kickinghorse Reservoir.
Classification of lands.
Provisos.

(after the diversions hereinbefore made) and applicable during the fiscal years 1929 and 1930 to the construction of power transmission lines and the purchase of power shall be available if and when license for the development of power on the Flathead River shall have been issued by the Federal Power Commission as provided in the Act of March 7, 1928 (45 Stat., pp. 212, 213): *Provided further*, That the Secretary of the Interior, in lieu of collecting past-due and unpaid construction charges with interest as provided in the Act of March 7, 1928 (45 Stat., p. 213), shall, in determining the construction costs to be fixed in the public notice specified in said Act and in the repayment contract, include the amounts due on account of said past-due construction charges in the construction costs chargeable against the respective units or legal subdivisions upon which the same are now a lien: *Provided further*, That the Federal Power Commission in issuing any permits or licenses for the development of power or power sites on the Flathead Indian Reservation in the State of Montana, as authorized by the Act of March 7, 1928 (45 Stat., pp. 212, 213), is hereby authorized and directed to waive payment of the usual administrative fees or commissions charged under existing laws relating to or under regulations of said Federal Power Commission in the issuance of any such permits or licenses.

Construction of transmission lines, sale of power, etc.

45 Stat., 212; ante, 18.

Construction charges to include past-due.
45 Stat., 213; ante, 18.

Administrative fees waived in issuing power permits.

45 Stat., 212.
Ante, 18.

Payment to Middle Rio Grande conservancy district: For payment to the Middle Rio Grande conservancy district in accordance with the provisions of an Act entitled "An Act authorizing the Secretary of the Interior to execute an agreement with the Middle Rio Grande conservancy district providing for conservation, irrigation, drainage, and flood control for the Pueblo Indian lands in the Rio Grande Valley, New Mexico, and for other purposes," approved March 13, 1928 (45 Stat., p. 312), subject to and reimbursable in accordance with said Act, fiscal years 1929 and 1930, $100,000; and the unexpended balance of the appropriation for this purpose for the fiscal year 1929 is continued available until June 30, 1930.

Middle Rio Grande conservancy district, New Mexico.
Payment to.
45 Stat., 212.
Ante, 18.

Claremore Hospital, Oklahoma: For an additional amount for construction and equipment of Claremore Hospital, Oklahoma, fiscal years 1929 and 1930, $10,000.

Claremore Hospital, Okla.
Construction, etc.

Tacoma Hospital, Washington: For maintenance and operation of a sanatorium for tuberculous Indians at Tacoma, Washington; for incidental and all other expenses necessary for its proper conduct and management, including pay of employees, repairs, improvements, and equipment; and for necessary expense of transporting patients to and from said sanatorium, fiscal year 1929, $25,000.

Tacoma, Wash.
Indian tuberculosis hospital.

Subsistence for Indian schools: For purchase of additional subsistence supplies for pupils in Indian schools of all classes, fiscal year 1929, $100,000.

Schools.
Subsistence.

Cheyenne River School, South Dakota: For rebuilding kitchen, dining room, bakery, and domestic science building, including equipment, or to reimburse other appropriations used for such purposes, fiscal years 1929 and 1930, $40,000.

Cheyenne River, S. Dak.

Turtle Mountain Reservation, North Dakota: For construction and equipment, including not to exceed $5,000 for motor busses, of a consolidated day school at Belcourt within the Turtle Mountain Indian Reservation, North Dakota, fiscal years 1929 and 1930, $125,000: *Provided*, That no part of this appropriation shall be available for expenditure until the proper authorities of the State of North Dakota shall have agreed in writing to deposit in the Treasury of the United States, for expenditure for the support, in part, of said school, the State allowances or payments for education of the children residing within the reservation in which the school is situated.

Turtle Mountain Reservation, N. Dak.

Proviso.

State cooperation.

Haskell Institute, Kansas.

Haskell Institute, Lawrence, Kansas: for completion of remodeling of boys' dormitories, fiscal years 1929 and 1930, $14,000.

Santa Fe, N. Mex.

Indian School, Santa Fe, New Mexico: For purchase and installation of new boiler, fiscal years 1929 and 1930, $7,000.

Indians in California. Enrollment expenses. 45 Stat., 603; ante, 49.

Expenses of enrollment of Indians of California: For carrying out the provisions of section 7 of the Act entitled "An Act authorizing the attorney general of the State of California to bring suit in the Court of Claims on behalf of the Indians of California," approved May 18, 1928 (Forty-fifth Statutes, page 603), fiscal years 1929 and 1930, $10,000.

Wichita, etc., Indians, Oklahoma.

Allowance to attorneys in claims.

Expenses of attorneys, Wichita and affiliated bands of Indians of Oklahoma (tribal funds): The Secretary of the Interior is authorized and directed to use not to exceed the sum of $2,000 from the tribal funds of the Wichita and affiliated bands of Indians of Oklahoma in the Treasury of the United States, upon proper vouchers to be approved by him, for costs and expenses already incurred and those to be incurred by their duly authorized attorneys in the prosecution of the claims of said Indians now pending in the Court of Claims, Docket Numbered E–542, including expenses of not exceeding two delegates from said bands of Indians, to be designated by the business committee representing all said bands, who may be called to Washington from time to time with the permission of the Commissioner of Indian Affairs on business connected with said claims, said $2,000 to remain available until expended.

Expenses of two delegates to Washington.

Eastern Band of Cherokees, North Carolina. Attorney.

43 Stat., 376, vol. 4, 422.

Compensation to tribal attorney, Eastern Band of Cherokees, North Carolina (tribal funds): To compensate the tribal attorney employed by the council of the Eastern Band of Cherokee Indians of North Carolina to represent said band in enrollment matters arising under the Act of June 4, 1924 (Forty-third Statutes, page 376), $3,500, payable from tribal funds of the said Indians, to continue available until June 30, 1930.

Leah Frank. Creek equalization pay.

45 Stat., 2035. Post, 127.

For payment to Leah Frank of Creek equalization (tribal funds): For payment to Leah Frank in full satisfaction of her rights to an allotment of Creek tribal lands, as authorized by Private Resolution Numbered 6, Seventieth Congress, second session, $624, payable out of tribal funds of the Creek Nation, Oklahoma.

Eloise Childers. Creek equalization pay.

45 Stat., 1641, 2035. Post, 127.

For payment to Eloise Childers of Creek equalization (tribal funds): For payment to Eloise Childers in full satisfaction of her rights to an allotment of Creek tribal lands, as authorized by Private Resolution Numbered 7, Seventieth Congress, $1,213.24, payable out of the tribal funds of the Creek Nation, Oklahoma.

Effa Crowe. Creek equalization pay.

45 Stat., 2036. Post, 128.

For payment to Effa Cowe of Creek equalization (tribal funds): For payment to Effa Cowe in full satisfaction of her rights to an allotment of Creek tribal lands, as authorized by Private Resolution Numbered 8, Seventieth Congress, $1,101, payable out of tribal funds of the Creek Nation, Oklahoma.

Navajo Indians, New Mexico. General support, etc.

Miscellaneous Indian funds, New Mexico (tribal funds): For an additional amount for general support of Indians and administration of Indian property at the several Navajo jurisdictions in Arizona and New Mexico, fiscal year 1929, $50,000, to be paid from funds held in trust for the Navajo Tribe of Indians.

Shoshone or Wind River Reservation, Wyo. Allotments to unallotted Indians on. Funds available.

45 Stat., 617. Ante, 51.

Shoshone or Wind River Reservation, Wyoming: The appropriation of $50,000, contained in the Act of May 29, 1928 (Forty-fifth Statutes, page 198), for necessary surveys, classification of lands, and all other expenses in connection with the allotment of lands on the Shoshone or Wind River Reservation, Wyoming, authorized by the Act of May 21, 1928 (Forty-fifth Statutes, page 617), is continued available until June 30, 1930.

Lake Andes, S. Dak. Spillway and drainage ditch. Unexpended balance reappropriated.

Lake Andes, South Dakota, spillway and drainage ditch: The unexpended balance of $48,612.76 of the appropriation for the construction of a spillway and drainage ditch to lower the level of Lake Andes, South Dakota, contained in the Act of September 22, 1922 (42 Stat., p. 1051), and covered into the surplus fund by the Act of March 7, 1928 (45 Stat., p. 215), is hereby reappropriated for the same purposes during the fiscal year 1930: *Provided*, That no part of this appropriation shall be expended until the Secretary of the Interior shall have obtained from the proper authorities of the State of South Dakota satisfactory guaranties of the payment by said State of one-half of the cost of the construction of the said spillway and drainage ditch.

45 Stat., 215; ante, 21.

Proviso.

Contribution by South Dakota.

Menominee Indians of Wisconsin. Per capita payment, from tribal funds.

Menominee Indians of Wisconsin: For per capita payment of $100 to members of the Menominee Tribe of Indians of Wisconsin, fiscal years 1929 and 1930, $196,000, to be paid from funds held in trust for such Indians.

Kiowa Hospital, Okla. Construction, etc.

Kiowa-Indian Hospital, Oklahoma: For the construction at the Kiowa-Indian Hospital, located at the Fort Sill School Reservation, in Comanche County, Oklahoma, of hospital quarters to accommodate one hundred patients, gravel roads, floor coverings for old hospital, and additional equipment, all as authorized by the Act approved November 2, 1921 (Public 85, Sixty-seventh Congress), fiscal years 1929 and 1930, $91,000.

42 Stat. 208, vol. 4, 330.

Kiowa, etc., Indians, Okla. Payments to, from oil royalties.

Kiowa, Comanche, and Apache Indians, Oklahoma: There is hereby appropriated from the tribal trust fund, established by the joint resolution of Congress approved June 12, 1926 (44 Stat., p. 740), being a part of the Indians' share of moneys derived from the south half of the Red River in Oklahoma, the sum of $100,000 for payment to the Kiowa, Comanche, and Apache Tribes of Indians of Oklahoma: *Provided*, That said sum shall be distributed share and share alike to all recognized members of the Kiowa, Comanche, and Apache Tribes who are living on the date of passage of this Act, under such regulation as the Secretary of the Interior may prescribe, and that said sum herein appropriated shall be immediately available for distribution as provided herein.

44 Stat., 740, vol. 4, 558.

Proviso. Equal distribution.

Immediately available.

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AUDITED CLAIMS

Audited claims.

Payment of, certified by General Accounting Office.

SEC. 2. That for the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., p. 1022, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1926 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., p. 43, sec. 266), as fully set forth in House Documents Numbered 580 and 582, Seventieth Congress, there is appropriated as follows:

18 Stat., 110.

U. S. Code, p. 1022.

23 Stat., 254.

U. S. Code, p. 43.

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DEPARTMENT OF THE INTERIOR

Interior Department.

For Howard University, $6.

For Army pensions, $7.42.

For payment to Clallam Indians, Washington, $722.33.

For suppressing liquor traffic among Indians, $85.

For purchase of seed, agricultural implements, and so forth, for Indians of Blackfeet Reservation, $50.

For administration of affairs of Five Civilized Tribes, Oklahoma, $169.10.

* * * * * * *

Audited claims.

AUDITED CLAIMS

Payment of additional.

SEC. 3. That for the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., p. 1022, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1926 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., p. 43, sec. 266), as fully set forth in Senate Document Numbered 235, Seventieth Congress, there is appropriated as follows:

18 Stat., 110.
U. S. Code, p. 1022.

23 Stat., 254.
U. S. Code, p. 43.

* * * * * * *

Interior Department.

DEPARTMENT OF THE INTERIOR

For suppressing liquor traffic among Indians, $85.

For administration of affairs of Five Civilized Tribes, Oklahoma, $169.10.

For purchase of seed, agricultural implements, and so forth, for Indians of Blackfeet Reservation, Montana, $50.

For payment to Clallam Indians, Washington, $2,166.99.

For relieving distress and prevention, and so forth, of diseases among Indians, $10.

* * * * * * *

Supplemental appropriations for 1929.

TITLE II.—SUPPLEMENTAL APPROPRIATIONS UNDER THE ACT OF MAY 28, 1928, AMENDING THE CLASSIFICATION ACT OF 1923

Amounts added to regular appropriations to meet amended classification.

SEC. 1. Supplemental appropriations for the fiscal year ending June 30, 1929, on account of the enactment of the Act of May 28, 1928 (45 Stat., pp. 776–785), amending the Classification Act of 1923 (U. S. C., pp. 65–71, secs. 661–673), to be added to and become a part of the appropriations available during such fiscal year under the following appropriation titles, namely:

45 Stat., 776.

42 Stat., 1488.
U. S. Code, p. 65.

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Interior Department.

DEPARTMENT OF THE INTERIOR

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Indian Affairs Bureau.

BUREAU OF INDIAN AFFAIRS

For "Salaries, Bureau of Indian Affairs, 1929," $24,000.

For "Purchase and transportation of Indian supplies, 1929," $6,550.

For "Pay of judges, Indian courts, 1929," $3,000.

For "Pay of Indian police, 1929," $16,000.

For "Suppressing liquor traffic among Indians, 1929," $980.

For "Determining heirs of deceased Indian allottees, 1929," $1,000.

For "Probate attorneys, Five Civilized Tribes, Oklahoma, 1929," $1,500.

For "Expenses of Indian commissioners, 1929," $900.

For "Counsel for Pueblo Indians of New Mexico, 1929," $200.

For payment of salaries of employees and other expenses of advertising and sale in connection with the further sales of unallotted lands and other tribal property belonging to any of the Five Civilized Tribes, including the same objects specified under this head in the Interior Department Appropriation Act for the fiscal year 1929, $500, to be paid from the proceeds of sales of such tribal lands and property.

For "Industrial work and care of timber, 1929," $23,000.

For "Expenses, sale of timber (reimbursable), 1929," $7,000.

For "Irrigation, Indian reservations (reimbursable), 1929," $7,000.

For "Indian schools, support, 1929," $141,000.

For "Indian boarding schools, 1929": Fort Mojave, Arizona, $4,240; Phoenix, Arizona, $11,850; Truxton Canyon, Arizona, $2,740; Theodore Roosevelt, Arizona, $5,820; Sherman Institute, California, $12,440; Fort Bidwell, California, $2,150; Haskell Institute, Kansas, $11,760; Mount Pleasant, Michigan, $6,480; Pipestone, Minnesota, $4,180; Genoa, Nebraska, $6,760; Carson City, Nevada, $6,280; Albuquerque, New Mexico, $9,930; Santa Fe, New Mexico, $6,590; Charles H. Burke, New Mexico, $7,090; Cherokee, North Carolina, $5,480; Bismarck, North Dakota, $2,300; Fort Totten, North Dakota, $4,910; Wahpeton, North Dakota, $4,230; Chilocco, Oklahoma, $10,720; Sequoyah Orphan Training School, $4,230; Euchee, Oklahoma, $2,000; Eufaula, Oklahoma, $2,420; Chemawa, Salem, Oregon, $10,820; Flandreau, South Dakota, $5,640; Pierre, South Dakota, $4,280; Rapid City, South Dakota, $5,340; Hayward, Wisconsin, $3,560; Tomah, Wisconsin, $4,760; in all, boarding schools, not to exceed $169,000.

For "Indian schools, Five Civilized Tribes, 1929," $1,000.

For "Education, Sioux Nation, 1929," $18,000.

For "Conservation of health among Indians, 1929," $74,000.

For support of hospitals maintained for the benefit of the Chippewa Indians in the State of Minnesota, $4,000, payable from the principal sum on deposit to the credit of said Indians arising under section 7 of the Act of January 14, 1889 (Twenty-fifth Statutes, page 645).

For "Asylum for insane Indians, Canton, South Dakota, 1929," $4,000.

For "Support of Indians and administration of Indian property, 1929," $57,000.

For "Fulfilling treaties with Coeur d'Alenes, Idaho, 1929," $540.

For "Fulfilling treaties with Bannocks, Idaho, 1929," $920.

For "Fulfilling treaties with Crows, Montana, 1929," $1,100.

For "Fulfilling treaties with Northern Cheyennes and Arapahoes, Montana, 1929," $1,000.

For "Fulfilling treaties with Pawnees, Oklahoma, 1929," $1,000.

For "Fulfilling treaties with Quapaws, Oklahoma, 1929," $240.

For "Fulfilling treaties with Sioux of different tribes, including Santee Sioux of Nebraska, North Dakota, and South Dakota, 1929," $17,000.

For "Fulfilling treaties with Confederated Bands of Utes, 1929," $2,000.

For "Fulfilling treaties with Shoshones, Wyoming, 1929," $760.

For "Administration, Quapaw Agency (reimbursable), 1929," $720.

For general support of Indians and administration of Indian property under the jurisdiction of the following agencies, to be paid from the funds held by the United States in trust for the respective tribes, in not to exceed the following sums, respectively:

Arizona: Fort Apache, $4,000; San Carlos, $4,000: Truxton Canyon, $1,000; in all, $9,000;

Colorado: Consolidated Ute, $400;
Idaho: Coeur d'Alene, $500; Fort Hall, $2,000; in all, $2,500;
Minnesota: Red Lake, $1,000;
Montana: Flathead, $2,000;
Nevada: Western Shoshone, $1,000;
New Mexico: Mescalero, $1,000;
North Dakota: Fort Berthold, $100; Standing Rock, $1,500; in all, $1,600;
Oklahoma: Otoe, $180; Ponca, $120; Kiowa, $3,500; Cheyenne and Arapahoe, $2,000; in all, $5,800;
Oregon: Klamath, $4,000; Umatilla, $500; in all, $4,500;
South Dakota: Lower Brule, $100;
Utah: Uintah, $180;
Washington: Colville, $3,400; Taholah, $300; Yakima, $2,400; in all, $6,100;
Wisconsin: Keshena, $2,500;
Wyoming: Shoshone, $3,000;
In all, not to exceed $40,680.

Chippewa Indians of Minnesota.

For general support, administration of property, and promotion of self-support among the Chippewa Indians in the State of Minnesota, $3,000 to be paid from the principal sum on deposit to the credit of said Indians arising under section 7 of the Act approved January 14, 1889 (Twenty-fifth Statutes, page 645).

25 Stat., 642, vol. 1, 305.

Osage Agency.

For the support of the Osage Agency, including the same objects specified under this head in the Interior Department Appropriation Act for the fiscal year 1929, $9,500, to be paid from the funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma.

Oil and gas production.

For necessary expenses in connection with oil and gas production on the Osage Reservation, including the same objects specified under this head in the Interior Department Appropriation Act for the fiscal year 1929, $3,900, to be paid from the funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma.

Confederated Bands of Utes.

For administering the property of and promoting self-support among the Confederated Bands of Ute Indians, under such regulations as the Secretary of the Interior may prescribe, $3,000, payable from the principal funds in the credit of such Indians.

Total, Bureau of Indian Affairs, Federal funds, $580,410.
Total, Bureau of Indian Affairs, Indian funds, $64,580.

* * * * * * *

Approved, March 4, 1929.

PRIVATE ACTS OF THE SEVENTIETH CONGRESS, SECOND SESSION, 1928–1929.

December 11, 1928.
[H. R. 13753.]
45 Stat., 2034.

CHAP. 22.—An Act Authorizing an expenditure of certain funds standing to the credit of the Cherokee Nation in the Treasury of the United States to be paid to one of the attorneys for the Cherokee Nation, and for other purposes

Cherokee Indians.
Pay to Frank J. Boudinot, attorney, from tribal funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be expended, and to be by the Secretary of the Interior paid to Frank J. Boudinot, one of the attorneys for the Cherokee Nation of Indians, employed under the authority of the Act of Congress approved March 19, 1924 (Forty-third Statutes at Large, page 27), the sum of $1,180.22, now standing to the credit of the Cherokee Nation in the Treasury of the United States: *Provided*, That before payment is made there be obtained the agreement or consent thereto

43 Stat., 27, vol. 4, 408.

Provisos.
Agreement required.

of the Cherokee representative committee which was elected by the Cherokees under the provisions of section 2 of the above-mentioned Act of March 19, 1924: *And provided further*, That, subject to all prior assignments and agreements as to division of fees, the sum so allowed and paid shall be reimbursable to the credit of Cherokee funds out of any amount or amounts which may hereafter be decreed by the Court of Claims to be paid to the said Frank J. Boudinot, attorney, for his services and expenses rendered or incurred prior to the date of the approval of the Act of March 19, 1924, above described, or out of his share of such fee or amount as may be awarded by the Court of Claims to the attorneys employed by the Cherokee Nation under said Act of March 19, 1924.

43 Stat., 28, vol. 4, 403.

Reimbursement.

Approved, December 11, 1928.

CHAP. 32.—An Act For the relief of Russell White Bear

December 15, 1928.
[H. R. 13606.]
45 Stat., 2035.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to issue a patent in fee to Russell White Bear, Crow allottee numbered 822, for land allotted to him under the provisions of the Act of June 4, 1920 (Forty-first Statutes at Large, page 751), and designated as homestead.

Crow Indian Reservation, Mont.
Patent in fee to Russell White Bear allottee authorized.
41 Stat., 751, vol. 4, 271.

Approved, December 15, 1928.

CHAP. 33.—Joint Resolution For the relief of Leah Frank, Creek Indian, new born, roll numbered 294

December 15, 1928.
[H. J. Res. 76.]
45 Stat., 2035.

Whereas Leah Frank, Creek Indian, new born, roll numbered 294, having lost the allotment of land which the United States attempted to assign her and having received from the tribal funds no payments for the satisfaction of such rights: Therefore be it

Leah Frank, Creek Indian.
Preamble.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is authorized to be appropriated the sum of $860, out of the tribal funds of the Creek Nation, in full satisfaction of her rights to an allotment of Creek tribal lands: *Provided*, That from the said amount there shall be deducted any equalization payment that may have heretofore been made to Leah Frank.

Payment to, for allotment of Creek tribal lands.
45 Stat., 1641; ante, 122.
Proviso.
Deduction of any former payment.

Approved, December 15, 1928.

CHAP. 34.—Joint Resolution For the relief of Eloise Childers, Creek Indian, minor, roll numbered 354

December 15, 1928.
[H. J. Res. 260.]
45 Stat., 2035.

Whereas Eloise Childers, Creek Indian, minor, roll numbered 354, having last the allotment of land which the United States attempted to assign her and having received from the tribal funds no payments for the satisfaction of such rights: Therefore be it

Eloise Childers, Creek Indian.
Preamble.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is authorized to be appropriated the sum of $1,213.24, out of the tribal funds of the Creek Nation, in full satisfaction of her rights to an allotment of Creek tribal lands.

Payment to, for allotment of Creek tribal lands.
45 Stat., 1641; ante, 122.

Approved, December 15, 1928.

December 15, 1928.
[H. J. Res. 261.]
45 Stat., 2036.

CHAP. 35.—Joint Resolution For the relief of Effa Cowe, Creek Indian, new born, roll numbered 78

Effa Cowe, Creek Indian.

Preamble.

Whereas Effa Cowe, Creek Indian, new born, roll numbered 78, having lost the allotment of land which the United States attempted to assign her and having received from the tribal funds no payments for the satisfaction of such rights: Therefore be it

Sum authorized to, for allotment of Creek tribal lands.
45 Stat., 1641; ante, 122.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is authorized to be appropriated the sum of $1,101, out of the tribal funds of the Creek Nation, in full satisfaction of her rights to an allotment of Creek tribal lands.

Approved, December 15, 1928.

December 17, 1928.
[H. R. 12312.]
45 Stat., 2036.

CHAP. 37.—An Act For the relief of James Hunts Along

James Hunts Along.
Compensation for personal injuries.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to place to the credit of James Hunts Along the sum of $2,000, out of any money in the Treasury not otherwise appropriated, to be expended for his use and benefit under the supervision of the Secretary of the Interior to cover in full reimbursement and compensation for injuries incurred and resulting from his being attacked and severely beaten by Indians while engaged in the performance of his official duties as Indian policeman on the Fort Berthold Indian Reservation.

Approved, December 17, 1928.

February 2, 1929.
[S. 2362.]
45 Stat., 2045.

CHAP. 134.—An Act To authorize the payment to Robert Toquothty of royalties arising from an oil and gas well in the bed of the Red River, Oklahoma

Robert Toquothty, allottee.
Payment of certain oil, etc., royalties to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed, under such terms and conditions as he may prescribe, to pay to Robert Toquothty, Comanche allottee Numbered 3413, the sum or $16,339.69 from the moneys now on deposit in the United States Treasury to the credit of the Kiowa, Comanche, and Apache Tribes of Indians under joint resolution of June 12, 1926 (Forty-fourth Statutes at Large, page 704). That no attorney fee paid in connection with this case shall exceed 10 per centum of the amount stated in this Act.

44 Stat., 740, vol. 4, 558.
Limitation on attorney's fee.

Approved, February 2, 1929.

February 2, 1929.
[S. 4927]
45 Stat., 2046.

CHAP. 138.—An Act For the relief of Peter Shapp

Peter Shapp.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay to Peter Shapp $1,245.02, out of any money in the Treasury not otherwise appropriated, for his shares in per capita payments made to the Western Miami Tribe of Indians in the years 1889 and 1891, which shares were erroneously paid to another Indian of the same name.

Approved, February 2, 1929.

CHAP. 269.—An Act For the relief of Charles J. Hunt

February 19, 1929.
[H. R. 10327.]
45 Stat., 2265.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is authorized and directed to allow the claim of Charles J. Hunt for compensation in the sum of $1,228.33 for services as financial clerk in the office of the superintendent for the Five Civilized Tribes at Muskogee, Oklahoma, from April 25, 1926, to September 8, 1926, inclusive, which services were at the rate of $3,300 per annum.

Charles J. Hunt.
Compensation for services.

Approved, February 19, 1929.

CHAP. 284.—An Act Granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and so forth, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors

February 20, 1929.
[H. R. 16522.]
45 Stat., 2309.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

Pensions.

* * * * * * *

Pensions.
John Brennan.

The name of John Brennan, late of Battery D, Fourth United States Artillery, and pay him a pension at the rate of $20 per month.

Marcellus Red Tomahawk.

The name of Marcellus Red Tomahawk, late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay him a pension at the rate of $20 per month.

Hugh Swifthawk.

The name of Hugh Swifthawk, late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay him a pension at the rate of $20 per month.

Thomas Stoneman.

The name of Thomas Stoneman, late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay him a pension at the rate of $20 per month.

Eugene Little Soldier.

The name of Eugene Little Soldier, late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay him a pension at the rate of $20 per month.

William Redbear.

The name of William Redbear, late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay him a pension at the rate of $20 per month.

Daniel Ojinca (Bobtail Bull).

The name of Daniel Ojinca (Bobtail Bull), late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay him a pension at the rate of $20 per month.

Leo Bear Weasel.

The name of Leo Bear Weasel, late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay him a pension at the rate of $20 per month.

Gabriel Grayeagle.

The name of Gabriel Grayeagle, late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at

Ghost Dance outbreak in 1890, and pay him a pension at the rate of $20 per month.

Antoine Onefeather.

The name of Antoine Onefeather, late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay him a pension at the rate of $20 per month.

Joseph Whitebird.

The name of Joseph Whitebird, late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay him a pension at the rate of $20 per month.

Oliver Looking Elk, sr.

The name of Oliver Looking Elk, senior, late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay him a pension at the rate of $20 per month.

Walcott Shootswalking (or Wakutemani).

The name of Walcott Shootswalking (or Wakutemani), late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay him a pension at the rate of $20 per month.

Jacob Crossbar.

The name of Jacob Crossbear, late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay him a pension at the rate of $20 per month.

Joseph Paints Brown.

The name of Joseph Paints Brown, late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay him a pension at the rate of $20 per month.

Mary Brownman.

The name of Mary Brownman, widow of Elias Brownman, late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay her a pension at the rate of $12 per month.

Mary Loneman.

The name of Mary Loneman, widow of John Loneman, late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay her a pension at the rate of $12 per month.

Martina Goodelk.

The name of Martina Goodelk, widow of Edward Goodelk, late of Indian Police Service, Standing Rock Sioux Reservation, detailed to take Sitting Bull at Ghost Dance outbreak in 1890, and pay her a pension at the rate of $12 per month.

* * * * * * *

Approved, February 28, 1929.

February 23, 1929.
[H. R. 11064.]
45 Stat., 2326.

CHAP. 309.—An Act For the relief of F. Stanley Millichamp

F. Stanley Millichamp.
Payment to, for fire damages to orchard.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $4,042 to F. Stanley Millichamp, of Wapato, Washington, in full settlement of all claims against the Government for the burning of his orchard, and the damages resulting therefrom, caused by a fire set by Government employees under the Bureau of Indian Affairs of the Department of the Interior.

Approved, February 23, 1929.

CHAP. 411.—An Act Authorizing the Secretary of the Treasury to pay the Gallup Undertaking Company for burial of four Navajo Indians

February 28, 1929.
[S. 4890.]
45 Stat., 2339.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $120 to the Gallup Undertaking Company, or as much thereof as is necessary, in full and final settlement for the burial of four Navajo Indians, to wit: Mary Uxhi, John Short, an unknown Navajo Indian woman, and Hasteen E. Bai (Kinticini), in the State of New Mexico during the fiscal year 1926.

Gallup Undertaking Company.
Payment to, for burial of four Navajo Indians.

Approved, February 28, 1929.

CHAP. 472.—An Act For the relief of James E. Jenkins

March 1, 1929.
[S. 1338.]
45 Stat., 2346.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to James E. Jenkins, Reno, Nevada, out of any money in the Treasury not otherwise appropriated, and in full settlement, the sum of $69 to reimburse him for money necessarily expended for medical services rendered Indian children under authority of the Bureau of Indian Affairs, and for drinking water at the Reno, Nevada, office of said bureau.

James E. Jenkins.
Reimbursement for medical services by, to Indian children, etc.

Approved, March 1, 1929.

CHAP. 621.—An Act For the relief of M. T. Nilan

March 2, 1929.
[H. R. 9862.]
45 Stat., 2355.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized, and hereby directed, to pay out of any money in the Treasury not otherwise appropriated, to M. T. Nilan, of Eggleston, Minnesota, the sum of $121.10. Such sum shall be in full satisfaction of all claims against the United States for damages resulting from the issuance of a check by the Department of the Interior on December 9, 1924, to Charles Wells, an Indian, which check was cashed by said M. T. Nilan and presented by him for payment, at which time the department refused to pay said check, claiming error on the part of its agent.

M. T. Nilan.
Reimbursement to.

Approved, March 2, 1929.

PUBLIC ACTS OF THE SEVENTY-FIRST CONGRESS, FIRST SESSION, 1929

CHAP. 20.—Joint Resolution Amending an appropriation for a consolidated school at Belcourt, within the Turtle Mountain Indian Reservation, North Dakota

June 13, 1929.
[H. J. Res. 93.]
46 Stat., 9.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the provision in the Second Deficiency Act approved March 4, 1929 (Public, Numbered 1035), making an appropriation for a consolidated day school at

Turtle Mountain Indian Reservation, N. Dak.
45 Stat., 1640, amended; ante, 121.

Belcourt within the Turtle Mountain Indian Reservation, North Dakota, is amended to read as follows:

Belcourt, N. Dak. Consolidated day school construction, etc., at.

"Turtle Mountain Reservation, North Dakota: For construction and equipment, including not to exceed $5,000 for motor busses, of a consolidated day school at Belcourt, within the Turtle Mountain Indian Reservation, North Dakota, fiscal years 1929 and 1930, $125,000: *Provided*, That such school shall be open for attendance by white children and by restricted or nonrestricted Indian children resident within said reservation if and when the State tuition fund and the county tuition fund, which would otherwise be paid to school districts in said reservation, if functioning, and the proceeds of the usual school levy in the said school districts, shall be paid to the United States to be used to supplement Government appropriations for the maintenance and operation of said consolidated school and for the payment of tuition of any white and Indian children, restricted or unrestricted, residing within said reservation in any high school approved by the superintendent of the Turtle Mountain Agency."

Proviso. Attendance of white and Indian children. State and county tuition levy to be paid to United States.

Approved, June 13, 1929

June 17, 1929. [H. R. 8317.] 46 Stat., 20.

CHAP. 27.—An Act To amend the Act entitled "An Act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1930, and for other purposes"

Milk River irrigation project, Mont. 45 Stat., 1591, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the paragraph of the Act entitled "An Act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1930, and for other purposes" (Public, Numbered 1033, Seventieth Congress), referring to the Milk River project, Montana, be amended to read as follows:

Operating divisions, etc.

"Milk River project, Montana: For operation and maintenance, Chinook, Malta, and Glasgow divisions, $17,000; continuation of construction, $17,000; in all, $34,000."

Approved, June 17, 1929.

(No private acts passed in 71st Congress, 1st session.)

PUBLIC ACTS OF THE SEVENTY-FIRST CONGRESS, SECOND SESSION, 1929–1930

December 23, 1929. [H. R. 5270.] 46 Stat., 54.

CHAP. 16.—An Act Providing for a per capita payment of $25 to each enrolled member of the Chippewa Tribe of Minnesota from the funds standing to their credit in the Treasury of the United States

Chippewa Indians, Minn. Per capita payment to, from principal fund.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to withdraw from the Treasury of the United States so much as may be necessary of the principal fund on deposit to the credit of the Chippewa Indians in the State of Minnesota, arising under section 7 of the Act of January 14, 1889 (Twenty-fifth Statutes at Large, page 642), entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota," and to make therefrom a per capita payment or distribution of $25 to each enrolled member of the tribe, under such rules and regulations as the said Secretary may prescribe: *Provided*, That before any payment is made hereunder the Chippewa Indians of Minnesota

25 Stat., 645, vol. 1, 301.

Provisos. Acceptance by the Indians.

shall, in such manner as may be prescribed by the Secretary of the Interior, ratify the provisions of this Act and accept same: *Provided further*, That the money paid to the Indians as authorized herein shall not be subject to any lien or claim of attorneys or other parties.

Not subject to any lien, etc.

Approved, December 23, 1929.

CHAP. 86.—Joint Resolution Authorizing the use of tribal moneys belonging to the Fort Berthold Indians of North Dakota for certain purposes

March 22, 1930.
[S. J. Res. 30.]
46 Stat., 88.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to use not to exceed the sum of $2,000 from the tribal funds of the Fort Berthold Indians of North Dakota in the Treasury of the United States, upon proper vouchers to be approved by him, for costs and expenses already incurred and those to be incurred by their duly authorized attorneys in the prosecution of the claims of said Indians now pending in the Court of Claims, Docket Numbered B–449, including expenses of not exceeding three delegates from said tribes, to be designated by the business committee representing said Indians, who may be called to Washington from time to time with the permission of the Commissioner of Indian Affairs on business connected with said claims, said $2,000 to remain available until expended.

Fort Berthold Indians of North Dakota.
Expenses of attorneys in prosecuting claims to be paid from tribal funds of.

Delegates' expenses included.

Approved, March 22, 1930.

CHAP. 87.—An Act Authorizing a per capita payment to the Shoshone and Arapahoe Indians

March 24, 1930.
[S. 3579.]
46 Stat., 88.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized, in his discretion and under such rules and regulations as he may prescribe, to make a per capita payment of $25 to the Shoshone and Arapahoe Indians in the State of Wyoming from their tribal funds deposited in the United States Treasury under the Act of August 21, 1916 (Thirty-ninth Statutes at Large, page 519).

Shoshone and Arapahoe Indians, Wyo.
Per capita payment to, from tribal funds.

39 Stat., 519, vol. 4, 93.

Approved, March 24, 1930.

CHAP. 92.—An Act Making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide urgent supplemental appropriations for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes

March 26, 1930.
[H. R. 9979.]
46 Stat., 90.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide urgent supplemental appropriations for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes, namely:

First Deficiency Act, fiscal year, 1930.

* * * * * * *

Interior Department.

DEPARTMENT OF THE INTERIOR

* * * * * * *

Indian Affairs Bureau.

BUREAU OF INDIAN AFFAIRS

Supplies.
Purchase, transportation, etc.

Purchase and transportation of Indian supplies: For an additional amount for expenses necessary to the purchase of goods and supplies for the Indian Service, including inspection, pay of necessary employees, and all other expenses connected therewith, including advertising, storage and transportation of Indian goods and supplies to cover the payment of bills presented within the statutory time limitation, fiscal year 1929, $80,000.

Wind River Reservation, Wyo.
Surveying, allotting, etc., lands on.

45 Stat., 617; ante, 51.
Balance available.
45 Stat., 1641; ante, 103, 122.

Survey, classification, and allotment of lands, Wind River Reservation, Wyoming: For an additional amount for surveys, classification of lands, and all other expenses in connection with the allotment of lands on the Shoshone or Wind River Reservation, Wyoming, as authorized by the Act of May 21, 1928 (45 Stat., p. 617), fiscal years 1930 and 1931, $20,000, and the unexpended balance of the appropriation of $50,000 continued available in the Second Deficiency Act, fiscal year 1929, until June 30, 1930, is hereby continued available until June 30, 1931.

San Ildefonso Pueblo, N. Mex.
Compensation for loss etc., lands on.

43 Stat., 636, vol. 4, 454.

Proviso.
Purchase of lands.

Compensation to San Ildefonso Pueblo, New Mexico: To compensate the San Ildefonso Pueblo Indians in the State of New Mexico for loss of lands and water rights, in accordance with the findings of the Pueblo Lands Board created by section 2 of the Act of June 7, 1924 (43 Stat., p. 636), $24,367.78, which shall be placed on the books of the Treasury to the credit of the said Indians, shall draw interest at the rate of 4 per centum per annum, and shall be subject to future appropriation by Congress: *Provided*, That $7,960.26 of this amount shall be available until expended for the purchase of 25.742 acres of land for the use and benefit of these Indians.

Leased Indian lands.
Supervising mining operations on.

26 Stat., 795, vol. 1, 57; 35 Stat., 312, 444, 783, vol. 3, 351, 356, 390.
U. S. C., p. 717.

Supervising mining operations on leased Indian lands: For an additional amount for transfer to the Geological Survey for expenditures to be made in inspecting mines and examining mineral deposits on Indian lands and in supervising mining operations on restricted tribal and allotted Indian lands leased under the provisions of the Acts of February 28, 1891 (26 Stat., p. 795), May 27, 1908 (35 Stat., p. 312), March 3, 1909 (U. S. C., title 25, sec. 396), and other Acts authorizing the leasing of such lands for mining purposes, fiscal year 1930, $10,000.

Timber preservation, etc.

Industrial work and care of timber: For an additional amount for the purpose of preserving living and growing timber on Indian reservations and allotments other than the Menominee Indian Reservation in Wisconsin, and to educate Indians in the proper care of forests, fiscal year 1930, $45,000: *Provided*, That this appropriation shall be available for the expenses of administration of Indian forest lands from which timber is sold to the extent only that the proceeds from the sale of timber from such lands are insufficient for that purpose.

Proviso.
Administration expenses from timber sales.

Timber sales, etc., expenses.

41 Stat., 416, vol. 4, 238.

Expenses, sale of timber (reimbursable): For an additional amount for expenses incidental to the sale of timber, and for the expenses of administration of Indian forest lands from which such timber is sold to the extent that the proceeds of such sales are sufficient for that purpose, fiscal year 1930, $40,000, reimbursable to the United States as provided in the Act of February 14, 1920.

Pima Reservation, Ariz.
Clearing, etc., land in, for encouraging self-support, etc.

Industry among Indians (reimbursable): For an additional amount for the purpose of encouraging industry and self-support among the Indians, fiscal years 1930 and 1931, $50,000, reimbursable, which

amount shall be available only for the clearing and leveling of land within the Pima Reservation, Arizona, including pay of necessary employees, purchase of equipment and supplies, and other expenses in connection with this work.

Navajo Reservation, Ariz. and N. Mex.
Maintenance, etc., of designated irrigation works on.

Irrigation, Indian reservation (reimbursable): For an additional amount for the construction, repair, and maintenance of irrigation works on the Crystal, Red Lake, Captain Tom Wash, Kirtland, Red Rock, Choiska, and miscellaneous projects on the Navajo Reservation, Arizona and New Mexico, fiscal year 1930, $8,000, reimbursable.

Fort Peck Reservation, Mont.
Maintenance, etc., of irrigation systems.

Maintenance and operation, irrigation systems, Fort Peck Reservation, Montana (reimbursable): For maintenance and operation of the Little Porcupine division and not exceeding four thousand acres under the West Side canal of the Poplar River division, $5,000; and for construction and betterment, Big Porcupine unit, Fort Peck project, Montana, to provide an adequate water supply for the area of that unit under constructed works, $55,000, by and under the direction of the Commissioner of Indian Affairs, fiscal years 1930 and 1931; in all, $60,000, reimbursable.

Laguna Pueblo, N. Mex.
Operating irrigating system for Laguna and Acoma Indians on.

Improvement, maintenance, and operation, irrigation system, Laguna Pueblo, New Mexico (reimbursable): For an additional amount for improvement, operation, and maintenance of the irrigation system for the Laguna and Acoma Indians in New Mexico, including reconstruction of the Seama Dam, destroyed by flood, fiscal years 1930 and 1931, $13,000, to be reimbursed by the Indians benefited, under such rules and regulations as the Secretary of the Interior may prescribe.

San Carlos project, Ariz.
Paying property damages from Coolidge Dam in.

45 Stat., 18; ante, 3.

San Carlos irrigation project, Arizona: Not to exceed $5,857 of the unexpended balance of the total amount heretofore appropriated for the construction of the Coolidge Dam across the canyon of the Gila River near San Carlos, Arizona, is hereby made available during the fiscal year 1930, for the payment of property and other damage claims, in addition to the amount of $163,452 provided for such purpose in the First Deficiency Act, fiscal year 1928.

Coolidge Dam, Ariz.
Completing construction of.

43 Stat., 475, vol. 4, 447; 45 Stat., 900; ante, 59.

Coolidge Dam across canyon of Gila River, Arizona (reimbursable): For an additional amount for completing construction of the Coolidge Dam across the canyon of the Gila River near San Carlos, Arizona, as authorized by the Act of June 7, 1924 (43 Stat., pp. 475–476), and under the terms and conditions of and reimbursable as provided in said Act, as supplemented or amended, fiscal years 1930 and 1931, $37,500: *Provided*, That any unexpended balances of appropriations made pursuant to said Act of June 7, 1924, as supplemented or amended, are hereby continued available for the same purposes until June 30, 1931.

Proviso.
Balances available.

Power plant, Coolidge Dam.
Continuing construction of.

45 Stat., 211; ante, 17.
Transmission line, etc.

Power plant, Coolidge Dam, San Carlos Reservation, Arizona (reimbursable): For continuing construction of a power plant for development of electrical power at the Coolidge Dam as an incident to the use of the Coolidge Reservoir, authorized by the Act of Congress approved March 7, 1928 (45 Stat., p. 200), including the completion of the transmission line from Coolidge Dam to Hayden and the installation of necessary switching station, and under the terms and conditions of and reimbursable as provided in the Act of June 7, 1924 (43 Stat., pp. 475–476), as supplemented and amended, fiscal years 1930 and 1931, $87,500: *Provided*, That any unexpended balances of appropriations made for said development of electrical power are hereby continued available until June 30, 1931.

43 Stat., 475, vol. 4, 447; 45 Stat., 900; ante, 59.

Proviso.
Unexpended balances available.

Middle Rio Grande project, N. Mex.
Engineers.

Middle Rio Grande conservancy project, New Mexico: For salaries and all other expenses of the Government engineer and assistants

45 Stat., 312.
Ante, 34.

appointed in pursuance to contract executed December 14, 1928, by the Secretary of the Interior with the middle Rio Grande conservancy district, fiscal years 1930 and 1931, $40,000.

Indian schools.
Amounts for designated purposes.

Support of Indian schools: For support and education of Indian pupils in reservation and nonreservation Indian schools, as follows: For additional subsistence, $195,000; for subsistence of pupils retained in boarding schools during summer months, $40,000; for noonday lunches in day schools, $50,000; for additional clothing, $50,000; for additional personnel for enlarged program of study, $200,000; for equipment, $175,000; for furniture, $240,000; for livestock, $150,000; in all, fiscal years 1930 and 1931, $1,100,000.

Warm Springs School, Oreg.

Warm Springs Boarding School, Oregon: For employees' club building, including equipment, fiscal years 1930 and 1931, $15,000.

Chippewas, Minn.
Tuition in public schools.

Public school tuition, Chippewa Indians, Minnesota (tribal funds): For an additional amount for payment of tuition for Chippewa Indian children enrolled in the public schools of the State of Minnesota, fiscal year 1928, $400, to be paid from the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota arising under section 7 of the Act of January 14, 1889.

25 Stat., 645, vol. 1, 301.

Genoa, Nebr.
School sewer system.

Indian school, Genoa, Nebraska: For payment for rights of way heretofore acquired for a sewer line across the lands of private owners adjoining the Genoa Indian School, there is made available $198 of the unexpended balance of the appropriation for extension of the sewer system at this school contained in the Act of January 12, 1927.

44 Stat., 949, vol. 4, 922.

Conservation of health.
Expenses designated.

Conservation of health among Indians: For an additional amount for conservation of health among Indians, including purchase of equipment, materials, and supplies; compensation and traveling expenses of officers and employees, and renting or constructing quarters for them where necessary, fiscal years 1930 and 1931, $400,000: *Provided*, That not to exceed $265,000 of the foregoing amount, together with the appropriation of $70,000 for the construction and equipment of the Cheyenne River and Standing Rock Sanatorium, South Dakota, fiscal year 1930, which is hereby made available until June 30, 1931, shall be available for the completion, including equipment and quarters for personnel, of the Fort Totten, North Dakota, and Flandreau, South Dakota, nonreservation boarding-school hospitals, and the Colorado River Hospital, Arizona; Fort Belknap Hospital, Montana; Tongue River Hospital, Montana; Turtle Mountain Hospital, North Dakota; Pawnee and Ponca Hospital, Oklahoma; Pine Ridge Hospital, South Dakota; and Hayward Hospital, Wisconsin; and the appropriations made for the construction and equipment of these hospitals during the fiscal year 1930 are hereby continued available until June 30, 1931.

Proviso.
Sum for equipment, and quarters, for personnel at designated hospitals, etc.

Pueblo Indians, N. Mex.
Site for a sanatorium for.

Land for sanatorium purposes, Pueblo Indians, New Mexico: For the purchase of a site to be used for sanatorium purposes for the Pueblo Indians, New Mexico, fiscal years 1930 and 1931, $3,500.

Indians in California.
Preparing of enrollment of.

Indians of California: For an additional amount for obligations heretofore and hereafter incurred during the fiscal year 1930 for carrying out the provisions of section 7 of the Act entitled "An Act authorizing the attorney general of the State of California to bring suit in the Court of Claims on behalf of the Indians in California," approved May 18, 1928 (45 Stat. p. 602), $3,500.

45 Stat., 603; Ante, 49.

General support.

Support of Indians and administration of Indian property: For an additional amount for general support of Indians, including Sioux Indians, and for administration of Indian property, including pay of employees, fiscal year 1930, $50,000.

Support of Indians, etc., from tribal funds.

Support of Indians and administration of Indian property (tribal

funds): For an additional amount for general support of Indians and administration of Indian property under the jurisdiction of the following agencies to be paid from the funds held by the United States in trust for the respective tribes in not to exceed the following sums, respectively:

Montana: Flathead, fiscal year 1931, $5,000; Flathead Agency, Mont.
Wisconsin: Keshena, fiscal year 1930, $4,000; Keshena Agency, Wis.
Wisconsin: Keshena, fiscal year 1931, $10,000.

Payment to Loyal Shawnee Indians, Oklahoma: For payment to the Loyal Shawnee Indians in settlement of their claim arising under the twelfth article of the treaty with said Indians proclaimed October 14, 1868 (15 Stat. p. 513), as authorized by and in accordance with the Act of March 4, 1929 (45 Stat., p. 1550), fiscal years, 1930 and 1931, $109,746.25.

Loyal Shawnees, Okla.
Payment to, for losses.
15 Stat., 513; vol. 2, 960.
45 Stat., 1550.
Ante, 92.

* * * * * * *

AUDITED CLAIMS

Audited claims.

SEC. 2. That for the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., Title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1927 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., Title 5, sec. 266), as fully set forth in House Document Numbered 251, Seventy-first Congress, there is appropriated as follows:

Payment of, certified by General Accounting Office.
18 Stat., 110.
U. S. C., p. 1022.
23 Stat., 254.
U. S. C., p. 43.

* * * * * * *

DEPARTMENT OF THE INTERIOR

* * * * * * *

For general expenses, Indian Service, $225.69.

For telegraphing and telephoning, Indian Service, $2.80.

For purchase and transportation of Indian supplies, $44.91.

For relieving distress and prevention, and so forth, of diseases among Indians, $170.13.

For expenses, sale of timber (reimbursable), $7.80.

For Indian schools, support, $747.38.

For Indian school transportation, $6.41.

For surveying and allotting Indian reservations (reimbursable), 88 cents.

For Indian boarding schools, $167.65.

For Indian school buildings, $2.62.

For Indian agency buildings, $5.01.

For support and civilization of Indians, $640.41.

For bridge across Colorado River near Lee Ferry, Arizona (reimbursable, $98,284.08.

For industrial work and care of timber, $209.84.

For industry among Indians, $2,939.94.

For maintenance and operation, irrigation system, Fort Peck Reservation, Montana (reimbursable), $878.44.

For irrigation systems, Uintah Reservation, Utah (reimbursable), $103.97.

For irrigation system, Fort Peck Reservation, Montana (reimbursable), $56.28.

* * * * * * *

Audited claims.

AUDITED CLAIMS

Payment of additional.

SEC. 3. That for the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1927 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in Senate Document Numbered 104, Seventy-first Congress, there is appropriated as follows:

18 Stat., 110. U. S. C., p. 1022.

23 Stat., 254. U. S. C., p. 43.

* * * * * * *

Interior Department.

DEPARTMENT OF THE INTERIOR

* * * * * * *

For relieving distress and prevention, and so forth, of diseases among Indians, $33.50.

For general expenses, Indian Service, $104.80.

For Indian schools, support, $37.07.

For industrial work and care of timber, $90.55.

For payment to Clallam Indians, Washington, $2,166.99.

* * * * * * *

Approved, March 26, 1930.

April 7, 1930. [H. R. 6123.]
46 Stat., 144.

CHAP. 108.—An Act To allow credit to homestead settlers and entrymen for military service in certain Indian wars

Public lands. Homestead entrymen allowed credit of residence, etc., for service in Indian wars.
44 Stat., 1361, vol. 4, 939.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in every case in which an entryman or settler upon the public lands of the United States under the homestead laws has established, or may hereafter establish, military service in accordance with the provisions of the Act entitled "An Act granting pensions to certain soldiers who served in the Indian wars from 1817 to 1898, and for other purposes," approved March 3, 1927, the military service of such entryman or settler so established shall, in the administration of the homestead laws, be construed to be equivalent to all intents and purposes to residence and cultivation for the same length of time upon the tract entered or settled upon; except that (1) if any such entryman or settler was discharged on account of wounds received or disability incurred in line of duty, then the term of his enlistment shall be deducted from the required length of residence without reference to the time of actual service, and (2) no patent shall issue to any such entryman or settler who has not resided upon, improved, and cultivated his homestead for a period of at least one year.

Allowance if discharged for wounds, etc.

One year's residence required.

Approved, April 7, 1930.

April 8, 1930. [H. R. 4604.]
46 Stat., 147.

CHAP. 115.—An Act To provide for the recording of the Indian sign language through the instrumentality of Major General Hugh L. Scott, retired, and for other purposes

Indian sign language. Sum authorized for making a permanent record of.
Post, 181.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $5,000, or

as much thereof as may be necessary, to be expended in the discretion of the Secretary of the Interior in making a permanent record of the sign language of the American Indians by whatever means may to him seem advisable, and to meet the expense of recording by motion and sound pictures through the instrumentality of Major General Hugh L. Scott, retired, and such Indians as may be required to assist him, the theory, history, and practice of the said sign language.

Approved, April 8, 1930.

CHAP. 122.—An Act To authorize the issuance of a fee patent for block 23 within the town of Lac du Flambeau, Wisconsin, in favor of the local public-school authorities

April 8, 1930.
[H. R. 7964.]
46 Stat., 149.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to cause a patent to be issued to the Public School Board of District Numbered 1, town of Lac du Flambeau, Wisconsin, and to their successors, for block 23 in the town of Lac du Flambeau, containing two and six one-hundredths acres, within the Lac du Flambeau Indian Reservation, to be used as a public-school site: *Provided*, That said patent shall be issued subject to the express condition that the local public-school authorities shall within three years from the date of approval of this Act erect and maintain on said block 23 a public school of sufficient capacity to accommodate Indian as well as white children, which school shall be available to all Indian children of the school district on the same terms, except as to payment of tuition, as white children: *Provided further*, That upon failure on the part of the local school board to erect and maintain a school on the tract as herein provided the title to said land shall revert to the United States for the benefit of the Indians of said reservation.

Lac du Flambeau Indian Reservation, Wis.
Block in, granted Lac du Flambeau for public-school site.

Provisos.
School to be erected to accommodate Indian and white children.

Reversion to Indians for nonuser.

Approved, April 8, 1930.

CHAP. 130.—An Act Granting the consent of Congress to agreements or compacts between the States of Oklahoma and Texas for the purchase, construction, and maintenance of highway bridges over the Red River, and for other purposes

April 10, 1930.
[H. R. 7968.]
46 Stat., 154.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to any agreements or compacts that have heretofore been or may hereafter be entered into by and between the State of Oklahoma, or the highway department thereof and the State of Texas, or the highway department thereof, providing for the purchase or condemnation and maintenance of any existing highway bridge over the Red River, or for the construction and maintenance of additional highway bridges over the Red River, at such locations as have been or may be selected and agreed upon by the two States or their highway departments, for the purpose of connecting the highways of the State of Oklahoma with the highways of the State of Texas.

Oklahoma and Texas.
Consent granted to agreements by, for bridges over the Red River.

SEC. 2. If any part of the bed of the Red River where it adjoins the boundary line between the States of Oklahoma and Texas is public land belonging to the United States, or is unallotted Indian lands reserved for or belonging to any of the Indian tribes under any treaty between the United States and such Indian tribes, rights-of-way over such lands for the construction and maintenance of public highways and for the location, construction, and maintenance of necessary piers and abutments for any bridges that have been or

Rights of way granted over public and Indian lands, for highways, bridge locations, etc.

may be purchased, condemned, or constructed and maintained on such highways, are hereby granted to the State of Oklahoma and the State of Texas at such locations as have been or may be selected and agreed upon by and between said States.

Acquirement of real tstate etc., for location, etc.

SEC. 3. There is hereby conferred upon the States of Oklahoma and Texas or the highway departments thereof acting jointly, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess and use real estate needed for the location, construction, and maintenance of such highways and for the purchase, condemnation, construction, and maintenance of any bridges thereon in either of such States as are possessed by the State in which such real estate is situated, upon making just compensation therefor to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of private property for public purposes in such State.

Compensation.

Amendment.

SEC. 4. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 10, 1930.

April 15, 1930.
[H. R. 155.]
46 Stat., 168.

CHAP. 169.—An Act Providing compensation to the Crow Indians for Custer Battle Field National Cemetery, and for other purposes

Custer Battle Field National Cemetery.
Sum authorized to pay Crow Indians for lands taken for.
Post, 182.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a sum not to exceed $3,045 is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of compensating the Crow Indians and their successors in interest for the appropriation of certain tribal and allotted lands from the reservation established by treaty dated May 7, 1868 (Fifteenth Statutes, page 649), for cemetery purposes as a site for the Custer Battle Field National Cemetery by Executive order dated December 7, 1886.

Payments to individual allottees.

SEC. 2. That out of the money herein authorized to be appropriated there shall be deposited in the Treasury of the United States to the credit of the Crow Indians the sum of $2,965, and that the Secretary of the Interior is hereby authorized to withdraw from such sum any amounts found to be due to individual allottees, said amounts to be subject to disposition in accordance with existing law and regulations of the Interior Department: *Provided*, That the deposit of said sum to the credit of the said Indians shall constitute full satisfaction to the said Indians for the taking of their lands comprised within the Custer Battle Field National Cemetery and shall forever bar any legal or equitable claim that the Indians may have to said lands or to the payment of compensation therefor. That the Secretary of the Interior is further authorized to make payments, out of the money herein authorized to be appropriated, the sum of $80 to the successors in interest under allotment numbered 423 of White Goose, which allotted lands were subsequently patented to S. G. Reynolds on August 26, 1912: *Provided*, That the acceptance of such sum by the successors in interest under the said allotment and patent shall constitute full satisfaction for the taking of that portion of the allotted and patented lands comprised within the Custer Battle Field National Cemetery and shall forever bar any legal or equitable claim that such successors in interest shall have to said lands or to the payment of compensation therefor.

Provisos.
Sum to be a full satisfaction for lands.

Amount for lands patented to S. G. Reynolds.
Acceptance in full satisfaction therefor.

SEC. 3. That there is hereby granted to the United States, and its assigns, for use for cemetery and other governmental purposes, all right, title, and interest of the Crow Indians or their successors in interest to the tribal and allotted lands comprised within the said Custer Battle Field National Cemetery as set apart by Executive order of December 7, 1886.

Title of Indian granted to United States.

Approved, April 15, 1930.

CHAP. 170.—An Act Authorizing the Secretary of the Interior to erect a marker or tablet on the site of the battle between Nez Perces Indians under Chief Joseph and the command of Nelson A. Miles

April 15, 1930.
[H. R. 6131.]
46 Stat., 169.

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 hereby authorized and directed to erect a suitable marker or historical tablet on the northwest quarter section 12, township 30 north, range 19 east, Montana meridian, owned by the United States, the site of the battle between Nez Perces Indians under Chief Joseph and the command of Nelson A. Miles.

Memorial.
Marker authorized on site of battle between Nez Perces under Chief Joseph and command of Nelson A. Miles.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $2,500.

Sum authorized.

SEC. 3. The Secretary of the Interior is hereby authorized to enter into an agreement with the State of Montana, or Blaine County, Montana, or citizens of Montana, or either or any of them, for the care and upkeep of the herein-described lands and the tablet or marker herein authorized.

Agreement authorized for care by Montana, etc.

Approved, April 15, 1930.

CHAP. 171.—An Act To authorize per capita payments to the Indians of the Pine Ridge Indian Reservation, South Dakota

April 15, 1930.
[H. R. 9306.]
46 Stat., 169.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized, in his discretion and under such rules and regulations as he may prescribe, to make reasonable per capita payments to the Indians of the Pine Ridge Reservation from their tribal funds on deposit in the Treasury of the United States under the Act of May 27, 1910 (Thirty-sixth Statutes at Large, page 442): *Provided*, That not to exceed $7.50 per capita shall be paid in any one year.

Pine Ridge Reservation, S. Dak.
Per capita payments to Indians of, from tribal funds.

36 Stat., 442, vol. 3, 457.
Proviso.
Yearly limit.

Approved, April 15, 1930.

CHAP. 184.—An Act Making appropriations for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1931, and for other purposes

April 18, 1930.
[H. R. 8960.]
46 Stat., 173.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1931, namely:

Appropriations for Departments of State and Justice, the Judiciary, and Departments of Commerce and Labor, fiscal year 1931.

* * * * * * *

Department of Justice.

TITLE II.—DEPARTMENT OF JUSTICE

* * * * * * *

Miscellaneous.

MISCELLANEOUS OBJECTS, DEPARTMENT OF JUSTICE

* * * * * * *

Defending suits in claims.

Defending suits in claims against the United States: For necessary expenses incurred in the examination of witnesses, procuring evidence, employment of experts at such rates of compensation as may be authorized or approved by the Attorney General, and such other expenses as may be necessary in defending suits in the Court of Claims, including Indian depredation claims, to be expended under the direction of the Attorney General, $70,000.

Indian depredation claims.

* * * * * * *

Approved, April 18, 1930.

April 18, 1930.
[H. R. 9562.]
46 Stat., 218.

CHAP. 185.—An Act To authorize an appropriation for purchasing twenty acres for addition to the Hot Springs Reserve on the Shoshone or Wind River Indian Reservation, Wyoming

Hot Springs Reserve, Wyo.
Purchase of land for addition to, from funds of Shoshone Indian Reservation.
Post, 182.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated from funds on deposit in the Treasury of the United States to the credit of the Indians of the Shoshone or Wind River Indian Reservation, Wyoming, the sum of $500 to be expended in purchasing twenty acres of land for addition to the Hot Springs Reserve, title thereto to be taken in the name of the United States of America in trust for said Indians.

Title in trust for Indians.

Approved, April 18, 1930.

April 19, 1930.
[H. R. 9546.]
46 Stat., 229.

CHAP. 201.—An Act Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1931, and for other purposes

Independent Offices Act, 1931.
Appropriations for fiscal year ending June 30, 1931.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1931, namely:

* * * * * * *

Smithsonian Institution.

SMITHSONIAN INSTITUTION

* * * * * * *

American ethnology.

American ethnology: For continuing ethnological researches among the American Indians and the natives of Hawaii, the excavation and preservation of archaeologic remains under the direction of the Smithsonian Institution, including necessary employees, the preparation of manuscripts, drawings, and illustrations, the purchase of books and periodicals, and traveling expenses, $70,280.

* * * * * * *

Approved, April 19, 1930.

CHAP. 221.—An Act Authorizing the Secretary of the Interior to erect a monument as a memorial to the deceased Indian chiefs and ex-service men of the Cheyenne River Sioux Tribe of Indians

April 29, 1930.
[H. R. 7881.]
46 Stat., 258.

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 hereby authorized and directed to erect a monument on the Cheyenne River Agency Reserve to commemorate the deceased Indian chiefs of the Cheyenne River Sioux Tribe of Indians of South Dakota and the service men of that nation or tribe who died while engaged in the service of the United States in the recent World War. Such memorial shall be constructed of native bowlders and shall have placed thereon appropriate memorial tablets commemorative of such deceased Indians chiefs and service men, together with such other matter as to the Secretary of the Interior may seem appropriate.

Sioux Indians, S. Dak.
Monument on Cheyenne River Reservation as memorial to, who died in World War service, to be erected.

Construction, etc.

SEC. 2. The cost of such memorial shall be paid out of any money in the Treasury of the United States not otherwise appropriated, and a sum of not to exceed $1,500 is hereby authorized to be appropriated for the purpose.

Sum authorized for.

Approved, April 29, 1930.

CHAP. 222.—An Act To amend the Act authorizing the attorney general of the State of California to bring suit in the Court of Claims on behalf of the Indians of California

April 29, 1930.
[H. R. 10081.]
46 Stat., 259.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Act of May 18, 1928 (Forty-fifth Statutes at Large, page 602), is hereby amended to read as follows:

Indians in California.
45 Stat., 603, amended; ante, 49.

"SEC. 7. For the purpose of determining who are entitled to be enrolled as Indians of California, as provided in section 1 hereof, the Secretary of the Interior, under such rules and regulations as he may prescribe, shall cause a roll to be made of persons entitled to enrollment. Any person claiming to be entitled to enrollment may within four years after the approval of this Act make an application in writing to the Secretary of the Interior for enrollment. At any time within five years of the approval of this Act the Secretary shall have the right to alter and revise the roll, at the expiration of which time said roll shall be closed for all purposes and thereafter no additional names shall be added thereto: *Provided*, That the Secretary of the Interior, under such rules and regulations as he may prescribe, shall also cause to be made, within the time specified herein, a roll of all Indians in California other than Indians that come within the provisions of section 1 of this Act."[1]

Enrollment of.

Time limit for applications.

Revision in five years.

Proviso.
Rules, etc., to be prescribed.

Approved, April 29, 1930.

CHAP. 224.—Joint Resolution To pay the judgment rendered by the United States Court of Claims to the Iowa Tribe of Indians, Oklahoma[2]

April 29, 1930.
[S. J. Res. 156.]
46 Stat., 260.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to withdraw from the Treasury of the United States funds on deposit arising out of a judgment

Iowa Indians, Okla.
Pro rata payment from judgment to.

[1] 80 Ct. Cls., 584.
[2] 68 Ct. Cls., 585.

rendered by the United States Court of Claims, on claim numbered 34677 entitled "The Iowa Tribe of Indians against The United States," and cause the total sum, less fees and expenses as fixed by the Court of Claims, to be paid in pro rata shares to all members of the Iowa Tribe of Indians of Oklahoma who were alive and properly enrolled or legally entitled to enrollment on the date of said judgment: *Provided*, That the said Secretary shall cause to be paid, in cash, all shares due or belonging to competent Indians: *Provided further*, That the shares of all other Indians, including minors, shall be deposited to their individual credit and be subject to existing laws governing individual Indian moneys.

Provisos.
Cash to competents.

Deposit to credit of others.

Approved, April 29, 1930.

May 9, 1930.
[H. R. 5283.]
46 Stat., 263.

CHAP. 229.—An Act To declare valid the title to certain Indian lands

Indian lands, S. Dak.
Purchasers of allotted, conveyed fee title.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all deeds which purported to convey complete fee title to purchasers of allotted Indian lands situated in the State of South Dakota approved by the Secretary of the Interior prior to June 25, 1910, are hereby declared to convey the entire title to the land therein described, to the same extent as though a fee-simple patent had issued to the purchaser or purchasers therein named and this Act shall operate as a complete bar against the United States and against the heirs of any such deceased allottee, whether such heirs appear as grantors in such deed or not, to any action in any court, State or Federal, wherein the title to such lands may be brought into question.

Subsequent litigation barred.

Approved, May 9, 1930.

May 12, 1930.
[S. J. Res. 188.]
46 Stat., 268.

CHAP. 244.—Joint Resolution Authorizing the use of tribal funds belonging to the Yankton Sioux Tribe of Indians in South Dakota to pay expenses and compensation of the members of the tribal business committee for services in connection with their pipestone claim

Yankton Sioux Indians, S. Dak.
Payment to, for services, etc., in prosecution of pipestone claim, from tribal funds.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to use not to exceed $4,000 of the tribal funds standing to the credit of the Yankton Sioux Tribe of Indians, in the State of South Dakota, in the Treasury of the United States arising from a judgment of the Court of Claims on claim numbered D–546, known as the pipestone claim, decided April 16, 1928, to pay the expenses and compensation of the members of their tribal business committee or their heirs on a quantum meruit basis for service rendered the tribe and expenses in connection with the prosecution of said claim numbered D–546 in pursuance of the action taken by the general tribal council held by the tribe at Greenwood, South Dakota, on August 23, 1924, by authority of the Commissioner of Indian Affairs, whereby the said tribal business committee was created and members duly appointed to serve thereon to carry out the wishes of the tribe.

Approved, May 12, 1930.

CHAP. 265.—An Act To amend the Act of Congress approved May 29, 1928, authorizing the Secretary of the Treasury to accept title to certain real estate, subject to a reservation of mineral rights in favor of the Blackfeet Tribe of Indians

May 13, 1930.
[H. R. 9407.]
46 Stat., 276.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress approved May 29, 1928, is hereby amended so as to authorize the Secretary of the Treasury to accept title to a tract of land containing approximately forty-two and ninety-five one-hundredths acres, being a portion of the proposed inspection station at Babb-Piegan, Montana, subject to a reservation of mineral rights in favor of the Blackfeet Tribe of Indians provided for in the Act of Congress approved June 30, 1919 (Forty-first Statutes, page 17).

Babb-Piegan, Mont. Acceptance of land for inspection station at.
45 Stat., 919.

Mineral rights of Blackfeet Indians reserved.
41 Stat., 17, vol. 4, 208.

Approved, May 13, 1930.

CHAP. 273.—An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1931, and for other purposes

May 14, 1930.
[H. R. 6564.]
46 Stat., 279.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1931, namely:

Interior Department appropriations, fiscal year 1931.

OFFICE OF THE SECRETARY

Secretary's Office.

* * * * * * *

CONTINGENT EXPENSES, DEPARTMENT OF THE INTERIOR

For contingent expenses of the office of the Secretary and the bureaus and offices of the department; furniture, carpets, ice, lumber, hardware, dry goods, advertising, telegraphing, telephone service, including personal services of temporary or emergency telephone operators; street-car fares for use of messengers not exceeding $150, expressage, diagrams, awnings, filing devices, typewriters, adding, addressing, and check-signing machines, and other labor-saving devices, including the repair, exchange, and maintenance thereof; constructing model and other cases and furniture; postage stamps to prepay postage on foreign mail and for special-delivery and air-mail stamps for use in the United States; traveling expenses, including necessary expenses of inspectors; fuel and light; examination of estimates for appropriations in the field for any bureau, office, or service of the department; not exceeding $500 shall be available for the payment of damages caused to private property by department motor vehicles; purchase and exchange of motor trucks, motor cycles, and bicycles, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles and motor trucks, motor cycles, and bicycles to be used only for official purposes; rent of department garage; expense of taking testimony and preparing the same in connection with disbarment proceedings instituted against persons charged with improper practices before the department, its bureaus and offices; expense of translations, and not exceeding $1,000 for contract stenographic reporting services; not exceeding $700 for newspapers,

Department contingent expenses.

Traveling expenses etc.

Property damages.

Vehicles.

Disbarment expenses.

Stationery, etc.

for which payment may be made in advance; stationery, including tags, labels, index cards, cloth-lined wrappers, and specimen bags, printed in the course of manufacture, and such printed envelopes as are not supplied under contracts made by the Postmaster General, for the department and its several bureaus and offices, and other absolutely necessary expenses not hereinbefore provided for, $122,000; and, in addition thereto, sums amounting to $75,500 for stationery supplies shall be deducted from other appropriations made for the fiscal year 1931, as follows: Surveying public lands, $2,000; protecting public lands and timber, $1,000; contingent expenses, local land offices, $2,500; Geological Survey, $4,500; Indian Service, $45,000; Freedmen's Hospital, $1,000; Saint Elizabeths Hospital, $2,500; National Park Service, $5,000; Bureau of Reclamation, $12,000, any unexpended portion of which shall revert and be credited to the reclamation fund; and said sums so deducted shall be credited to and constitute, together with the first-named sum of $122,000, the total appropriation for contingent expenses for the department and its several bureaus and offices for the fiscal year 1931.

Additional from specified appropriations.

Books, periodicals, etc.

For the purchase or exchange of professional and scientific books, law and medical books, and books to complete broken sets, periodicals, directories, and other books of reference relating to the business of the department by the several offices and bureaus of the Interior Department herein named, $500, and in addition there is hereby made available from any appropriations made for such bureau or office not to exceed the following respective sums: Office of the Secretary, $600; Pension Office, $800; Indian Service, $500; Office of Education, $1,800; Bureau of Reclamation, $2,000; Geological Survey, $2,500; National Park Service, $700; General Land Office, $500.

Office allotments.

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EXPENSES OF INDIAN COMMISSIONERS

Indian Commissioners.

For expenses of the Board of Indian Commissioners, $14,000, of which amount not to exceed $9,000 may be expended for personal services in the District of Columbia.

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General Land Office.

GENERAL LAND OFFICE

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Indian reservations. Opening, to entry.

Opening Indian reservations (reimbursable): For expenses pertaining to the opening to entry and settlement of such Indian reservation lands as may be opened during the fiscal year 1931, $300: *Provided*, That the expenses pertaining to the opening of each of said reservations and paid for out of this appropriation shall be reimbursed to the United States from the money received from the sale of the lands embraced in said reservations, respectively.

Proviso. Reimbursements.

Indian Affairs Bureau.

BUREAU OF INDIAN AFFAIRS

SALARIES

Commissioner and office personnel.

For the Commissioner of Indian Affairs and other personal services in the District of Columbia, $447,600.

General expenses.

GENERAL EXPENSES

Transportation, telegraphing, etc.

For transportation and incidental expenses of officers and clerks of the Bureau of Indian Affairs when traveling on official duty; for

telegraph and telephone toll messages on business pertaining to the Indian Service sent and received by the Bureau of Indian Affairs at Washington, and for other necessary expenses of the Indian Service for which no other appropriation is available, $12,000.

Supplies. Purchase, transporting, etc.

For expenses necessary to the purchase of goods and supplies for the Indian Service, including inspection, pay of necessary employees, and all other expenses connected therewith, including advertising, storage, and transportation of Indian goods and supplies, $650,000: *Provided*, That no part of this appropriation shall be used in payment for any services except bill therefor is rendered within one year from the time the service is performed.

Proviso. Limitation on payments.

Field representatives.

For pay of field representatives of the Commissioner of Indian Affairs, and traveling and incidental expenses, $25,000.

Judges.

For pay of judges of Indian courts where tribal relations now exist, at rates to be fixed by the Commissioner of Indian Affairs, $18,000.

Police.

For pay of Indian police, including chiefs of police at not to exceed $70 per month each and privates at not to exceed $50 per month each, to be employed in maintaining order, and for purchase of equipments and supplies, $163,000.

Suppressing liquor traffic, etc.

For the suppression of the traffic in intoxicating liquors and deleterious drugs, including peyote, among Indians, $100,000.

Agency buildings. Construction, purchase, repairs, etc.

For lease, purchase, repair, and improvement of agency buildings, exclusive of hospital buildings, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $200,000; for construction of physical improvements, exclusive of hospitals, $85,500; in all, $285,500: *Provided*, That this appropriation shall be available for the payment of salaries and expenses of persons employed in the supervision of construction or repair work of roads and bridges on Indian reservations and other lands devoted to the Indian Service: *Provided further*, That not more than $3,500 shall be expended for new construction at any one agency except as follows: Not to exceed $10,500 for three employees' cottages, Rosebud Agency, South Dakota; not to exceed $7,500 for two employees' cottages, Eastern Navajo Agency, New Mexico; not to exceed $7,000 for two employees' cottages, Mescalero Agency, New Mexico; and not to exceed $20,000 for an employee's building, and $9,000 for three employees' cottages, Pine Ridge Agency, South Dakota.

Provisos. Supervising construction.

New construction limited. Exceptions.

Telephone lines. Navajo Reservation, Ariz.

For the purchase of supplies and equipment and the employment of labor for the construction and repair of telephone lines within the Southern Navajo subdivision of the Navajo Reservation in Arizona, $25,000.

Hoopa Valley Agency, Calif.

For the purchase of supplies and equipment and the employment of labor for the construction and repair of telephone lines from Hoopa Valley Agency to Korbel, California, and to outlying points within the reservation, $8,000.

Mescalero Agency, N. Mex.

For the purchase of supplies and equipment and the employment of labor for the construction of a telephone line from Tularosa, New Mexico, to the Mescalero Indian Agency, and for the repair of telephone lines to outlying points on the reservation, $8,000.

Nespelem to Wilbur, and Wellpinit to Reardan, Wash.

For the purchase of supplies and equipment and the employment of labor for the construction of a telephone line from Nespelem to Wilbur, Washington, and from Wellpinit to Reardan, Washington, $10,000.

Vehicles. Allowance for maintenance.

Not to exceed $150,000 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn

passenger-carrying vehicles for the use of superintendents, farmers, physicians, field matrons, allotting, irrigation, and other employees in the Indian field service: *Provided*, That not to exceed $1,000 may be used in the purchase of horse-drawn passenger-carrying vehicles, and not to exceed $120,000 for the purchase and exchange of motor-propelled passenger-carrying vehicles, and that such vehicles shall be used only for official service.

Proviso.
Purchases limited.

Emergency allowance by diversions from specified appropriations.

That to meet possible emergencies not exceeding $100,000 of the appropriations made by this Act for support of reservation and non-reservation schools, for school and agency buildings, and for conservation of health among Indians shall be available, upon approval of the Secretary of the Interior, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Indian Service above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: *Provided*, That the limitations for new construction contained in the appropriations for Indian school, agency, and hospital buildings shall not apply to such emergency expenditures: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Provisos.
Building construction allowed.

Report to Congress.

Attendance at meetings.

Not to exceed $9,000 shall be available from applicable funds for expenses (not membership fees) of employees of the Indian Service when authorized by the Secretary of the Interior to attend meetings of medical, health, and educational associations in the interest of health and educational work among the Indians.

Sioux Tribe.
Claims of individual members.
45 Stat., 484.
Ante, 43.

For investigating, hearing, and determining the claims of individual members of the Sioux Tribe against tribal funds, or against the United States, as authorized by the Act of May 3, 1928 (45 Stat., p. 484), $12,000, to be immediately available.

Probate matters.

EXPENSES IN PROBATE MATTERS

Determining heirs of allottees.

For the purpose of determining the heirs of deceased Indian allottees having right, title, or interest in any trust or restricted property, under regulations prescribed by the Secretary of the Interior, $72,000, reimbursable as provided by existing law, of which $15,000 shall be available for personal services in the District of Columbia: *Provided*, That the provisions of this paragraph shall not apply to the Osage Indians nor to the Five Civilized Tribes of Oklahoma.

Services in the District.
Proviso.
Tribes excepted.

Five Civilized Tribes and Quapaws.
Attorneys, etc., for.

For salaries and expenses of such attorneys and other employees as the Secretary of the Interior may, in his discretion, deem necessary in probate matters affecting restricted allottees or their heirs in the Five Civilized Tribes and in the several tribes of the Quapaw Agency, and for the costs and other necessary expenses incident to suits instituted or conducted by such attorneys, $40,000: *Provided*, That no part of this appropriation shall be available for the payment of attorneys or other employees unless appointed after a competitive examination by the Civil Service Commission and from an eligible list furnished by such commission.

Proviso.
Restricted to civil service eligibles.

Indian lands.

INDIAN LANDS

Surveying, allotting in severalty, etc.
24 Stat., 388, vol. 1, 33.
U. S. C., p. 711.

For the survey, resurvey, classification, and allotment of lands in severalty under the provisions of the Act entitled "An Act to provide for the allotment of lands in severalty to Indians," approved February 8, 1887 (U. S. C., title 25, sec. 331), and under any other Act or Acts providing for the survey or allotment of Indian lands, $50,000: *Provided*, That no part of said sum shall be used for the survey, resurvey, classification, or allotment of any land in severalty on the public domain to any Indian, whether of the Navajo or other tribes, within

Proviso.
Use in New Mexico and Arizona limited.

the State of New Mexico and the State of Arizona, who was not residing upon the public domain prior to June 30, 1914.

Pueblo Board.
Expenses.
43 Stat., 640, vol. 4, 454.

For carrying out the provisions of section 13 of the Act entitled "An Act to quiet the title to lands within Pueblo Indian land grants, and for other purposes," approved June 7, 1924 (43 Stat., p. 636), $11,000, of which amount, $3,000 shall be immediately available.

California Indians.
Enrollment expenses, etc.
45 Stat., 602.
Ante, 49.

For carrying out the provisions of section 7 of the Act entitled "An Act authorizing the attorney general of the State of California to bring suit in the Court of Claims on behalf of the Indians in California," approved May 18, 1928 (45 Stat., p. 602), and for continuing the enrollment of said Indians as directed therein, $20,000, to be immediately available.

Advertising land sales.

For the payment of newspaper advertisements and printing locally of posters of sales of Indian lands, $500, reimbursable from payments by purchasers of costs of sale, under such rules and regulations as the Secretary of the Interior may prescribe.

Pueblo Indians, N. Mex.
Attorney for.

For the pay of one special attorney for the Pueblo Indians of New Mexico, to be designated by the Secretary of the Interior, and for necessary traveling expenses of said attorney, $3,700, or so much thereof as the Secretary of the Interior may deem necessary.

Five Civilized Tribes.
Expenses, sale of property, from proceeds.

For payment of salaries of employees and other expenses of advertising and sale in connection with the further sales of unallotted lands and other tribal property belonging to any of the Five Civilized Tribes, including the advertising and sale of the land within the segregated coal and asphalt area of the Choctaw and Chickasaw Nations, or of the surface thereof, as provided for in the Act approved February 22, 1921, entitled "An Act authorizing the Secretary of the Interior to offer for sale remainder of the coal and asphalt deposits in segregated mineral land in the Choctaw and Chickasaw Nations, State of Oklahoma" (41 Stat., p. 1107), and of the improvements thereon, which is hereby expressly authorized, and for other work necessary to a final settlement of the affairs of the Five Civilized Tribes, $6,500, to be paid from the proceeds of sales of such tribal lands and property.

Choctaw and Chickasaw coal and asphalt lands.
41 Stat., 1107, vol. 4, 287.
Final settlement of tribal affairs.

Indians in California.
Purchase of lands for homeless.
Balance available.
45 Stat., 1568; ante, 95.

For the purchase of lands for the homeless Indians in California, including improvements thereon, for the use and occupancy of said Indians, the unexpended balance of the appropriation for this purpose for the fiscal year 1930 is hereby continued available during the fiscal year 1931, said funds to be expended under such regulations and conditions as the Secretary of the Interior may prescribe.

Choctaw Indians of Mississippi.
Purchase of lands for full-blood.

For the purchase of lands, including improvements thereon, not exceeding eighty acres for any one family, for the use and occupancy of the full-blood Choctaw Indians of Mississippi, to be expended under conditions to be prescribed by the Secretary of the Interior for its repayment to the United States under such rules and regulations as he may direct, $6,500.

Eastern Cherokees, North Carolina.
Final disposition of affairs of.
45 Stat., 207; ante, 12.

For carrying out the provisions of the Act entitled "An Act providing for the final disposition of the affairs of the Eastern Band of Cherokee Indians in North Carolina," approved June 4, 1924 (43 Stat., p. 376), the unexpended balance of the appropriation for the fiscal year 1929 for this purpose is hereby made available until June 30, 1931.

Pueblo Indian lands, N. Mex.
Quieting titles in, etc.
43 Stat., 636, vol. 4, 454.
Payments to designated pueblos.

For carrying out the provisions of the Act of June 7, 1924 (43 Stat., p. 636), to quiet title in Pueblo Indian lands, New Mexico, and in settlement for damages for lands and water rights lost to the Indians of the pueblos as recommended in the respective reports of the Pueblo Lands Board thereon, the sum of $32,308.74, as follows:

San Juan, $29,090.53; Isleta, $3,218.21: *Provided*, That $4,957.13 of the above amount for the San Juan pueblo may be expended for the purchase of seventy-six and fifty-four one-hundredths acres of land and water rights, and the remainder of said amount shall be

Provisos.
Purchases authorized.
San Juan pueblo.

Isleta pueblo.

available for irrigation, drainage, and improvements on San Juan pueblo lands: *Provided further*, That the sum awarded to the Isleta pueblo may be used to reimburse officials of that pueblo for expenditures made in connection with fencing lands of the Isleta pueblo grant: *Provided further*, That appropriations heretofore made for the purchase of land and water rights and fencing, irrigating, and improving the lands of the Santo Domingo, Nambe, Sandia, Taos, San Felipe, Tesuque, and Picuris pueblos, are hereby continued available until June 30, 1931.

Use for designated pueblos.

Santa Ana Pueblo, N. Mex.
Fencing lands.

For fencing lands belonging to the Indians of the Santa Ana Pueblo, New Mexico, $2,292.50, payable from funds on deposit in the Treasury of the United States to the credit of said Indians.

Navajo Indians.
Purchase of additional lands, etc.
45 Stat., 899; ante, 59.
Balances available.
45 Stat., 899, 1569; ante, 59, 96.

For purchase of additional land and water rights for the use and benefit of Indians of the Navajo Tribe, title to which shall be taken in the name of the United States in trust for the Navajo Tribe, as authorized by the Act of May 29, 1928 (45 Stat., p. 899), the unexpended balances of the appropriations made by the Acts of May 29, 1928, and March 4, 1929, for this purpose are hereby continued available until June 30, 1931: *Provided*, That in purchasing such lands title may be taken, in the discretion of the Secretary of the Interior, for the surface only.

Proviso.
Title for surface only.

Kiowas, etc., Okla.
Payment to, from royalty funds.
44 Stat., 740, vol. 4, 558.

For payment to the Kiowa, Comanche, and Apache Indians, of Oklahoma, under such rules and regulations as the Secretary of the Interior may prescribe, $200,000, from the tribal trust fund established by Joint Resolution of Congress, approved June 12, 1926 (44 Stat., p. 740), being a part of the Indians' share of the money derived from the south half of the Red River in Oklahoma.

INDUSTRIAL ASSISTANCE AND ADVANCEMENT

Industrial assistance, etc.

Timber preservation, etc.

For the preservation of timber on Indian reservations and allotments other than the Menominee Indian Reservation in Wisconsin, the education of Indians in the proper care of forests, and the general administration of forestry work, including fire prevention and payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires in contravention of law on Indian lands, $225,000: *Provided*, That this appropriation shall be available for the expenses of administration of Indian forest lands from which timber is sold to the extent only that proceeds from the sales of timber from such lands are insufficient for that purpose.

Proviso.
Administering forest lands from timber sales, etc.

Timber sales, etc., expenses.

For expenses incidental to the sale of timber, and for the expenses of administration, including fire prevention, of Indian forest lands from which such timber is sold to the extent that the proceeds of such sales are sufficient for that purpose, $265,000, reimbursable to the United States as provided in the Act of February 14, 1920 (U. S. C., title 25, sec. 413): *Provided*, That this appropriation shall be available for the payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires in contravention of law.

Reimbursement.
41 Stat., 415, vol. 4, 238.
U. S. C., p. 720.
Proviso.
Rewards for information.

Klamath Reservation, Oreg.
Forest insect control on.

For continuation of forest insect control work on the Klamath Indian Reservation in Oregon, $20,000, payable from funds on deposit in the Treasury to the credit of the Klamath Indians.

Emergencies for suppressing fires on reservations.
From tribal funds.
44 Stat., 989, vol. 4, 934.

To meet possible emergencies, not exceeding $50,000 of the appropriations made by this Act for timber operations in the Indian Service is hereby made available for the suppression of forest fires on Indian reservations, together with the unexpanded balance of the appropriation made for this purpose for the fiscal year 1928 from the funds held by the United States in trust for the respective tribes of

Indians interested: *Provided*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Proviso.
Report to Congress.

For transfer to the Geological Survey for expenditures to be made in inspecting mines and examining mineral deposits on Indian lands and in supervising mining operations on restricted, tribal, and allotted Indian lands leased under the provisions of the Acts of February 28, 1891 (26 Stat., p. 795), May 27, 1908 (35 Stat., p. 312), March 3, 1909 (U. S. C., title 25, sec. 396), and other Acts authorizing the leasing of such lands for mining purposes, $85,000.

Geological Survey.
Supervising mining operations by, on leased lands.
26 Stat., 795, vol. 1, 57; 35 Stat., 312, 444, 783, vol. 3, 351, 356, 390, 444, 683.
U. S. C., p. 717.

For the purpose of obtaining remunerative employment for Indians, $50,000.

Employment for Indians.

For the purpose of developing agriculture and stock raising among the Indians, including the employment of farmers, stockmen, farm demonstrators, and agricultural college graduates scientifically trained and qualified to direct the agricultural activities of the Indians, in addition to the agency and school farmers now employed, necessary traveling expenses, supplies, and equipment, $315,000, of which not to exceed $15,000 may be used to conduct agricultural experiments on Indian school or agency farms and to maintain a supply of suitable plants or seed for issue to Indians.

Developing agriculture and stock raising.
Employing farmers, trained experts, etc.

Agricultural experiments on Indian farms.

For the purpose of encouraging industry and self-support among the Indians and to aid them in the culture of fruits, grains, and other crops, $500,000, which sum may be used for the purchase of seeds, animals, machinery, tools, implements, and other equipment necessary, and for advances to Indians having irrigable allotments to assist them in the development and cultivation thereof, in the discretion of the Secretary of the Interior, to enable Indians to become self-supporting: *Provided*, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1936, except in the case of loans on irrigable lands for permanent improvement of said lands, in which the period for repayment may run for not exceeding twenty years in the discretion of the Secretary of the Interior: *Provided further*, That $175,000 shall be available for expenditures for the benefit of the Pima Indians, and not to exceed $25,000 of the amount herein appropriated shall be expended on any other one reservation or for the benefit of any other one tribe of Indians: *Provided further*, That no part of this appropriation shall be used for the purchase of tribal herds: *Provided further*, That the Secretary of the Interior is hereby authorized, in his discretion and under such rules and regulations as he may prescribe, to make advances from this appropriation to old, disabled, or indigent Indian allottees, for their support, to remain a charge and lien against their lands until paid.

Encouraging farming, etc., for self support.

Purchases authorized.

Provisos.
Repayment.

Loans on irrigable lands.

Pima Indians.
Limit to a tribe.

Tribal herds excepted.

Advances to old, etc., allottees.

Industrial assistance: For the construction of homes for individual members of the tribes; the purchase for sale to them of seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support, the unexpended balances of the appropriations contained in the Interior Department Appropriation Act for the fiscal year 1930 for this purpose are hereby continued available during the fiscal year 1931: *Provided*, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1936, except in the case of loans on irrigable lands for permanent improvement of said lands, in which the period for repayment may run for not exceeding twenty years in the discretion of the Secretary of the Interior, and advances to

Industrial assistance.
Constructing homes, purchasing farm implements, supplies, etc., from tribal funds.
Balance reappropriated.
45 Stat., 1571; ante, 98.

Provisos.
Repayment.

Loans on irrigable lands, etc.

old, disabled, or indigent Indians for their support, which shall remain a charge and lien against their land until paid: *Provided further*, That all moneys reimbursed during the fiscal year 1931 shall be credited to the respective appropriations and be available for the purposes of this paragraph.

Credit of moneys reimbursed.

Livestock infected with dourine.
Reimbursement for destroyed.

For reimbursing Indians for livestock destroyed on account of being infected with dourine, $7,000, and for expenses in connection with the work of eradicating and preventing such disease, $3,000; in all, $10,000, to be expended under such rules and regulations as the Secretary of the Interior may prescribe.

Scabies.
Assisting eradication of, in sheep and goats.

For assisting Indians in the eradication of scabies in their sheep and goats, $60,000, which amount may be transferred by the Secretary of the Interior, with the approval of the Secretary of Agriculture, to the Bureau of Animal Industry for direct expenditure.

Water supply.

DEVELOPMENT OF WATER SUPPLY

Increasing grazing ranches, etc., by developing sources of, on reservations.

Developing water supply: For improving springs, drilling wells, and otherwise developing and conserving water for Indian use, including the purchase, construction, and installation of pumping machinery, tanks, troughs, and other necessary equipment, and for necessary investigations and surveys for the purpose of increasing the available grazing range on unallotted lands on Indian reservations;

Distribution.

not more than $75,000 for the Navajo Indians in Arizona and New Mexico, not more than $27,500 for the Papago Indians in Arizona, not more than $5,000 for the Pueblo Indian lands in New Mexico, and not more than $6,000 for the Hopi Indians in Arizona; in all, $114,000.

Amount from tribal funds.

Developing water supply (from tribal funds): For improving springs, drilling wells, and otherwise developing and conserving water for Indian use, including the purchase, construction, and installation of pumping machinery, tanks, troughs, and other necessary equipment, and for necessary investigations and surveys for the purpose of increasing the available grazing range on unallotted lands on Indian

Reservations designated.

reservations: For the Mescalero Reservation, New Mexico, $5,000; for the Consolidated Ute Reservation, Colorado, $3,000; for the Truxton Canyon Reservation, Arizona, $3,000; in all, $11,000, to be paid from funds held in trust for said tribes of Indians, respectively, by the United States.

Irrigation and rainage.

IRRIGATION AND DRAINAGE

Construction, maintenance, etc., of systems of, on reservations.

For the construction, repair, and maintenance of irrigation systems, and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian reservations and allotments; for operation of irrigation systems or appurtenances thereto when no other funds are applicable or available for the purpose; for drainage and protection of irrigable lands from damage by floods or loss of water rights, upon the Indian irrigation projects named below, in not to exceed the following amounts, respectively:

Allotments to districts.

Irrigation district one: Colville Reservation, Washington, $20,100;

Irrigation district two: Walker River Reservation, Nevada, $10,500, of which $1,500 shall be immediately available; Western Shoshone Reservation, Idaho and Nevada, $5,000; Shivwits, Utah, $300;

Irrigation district four: Ak Chin Reservation, Arizona, $8,000; Chiu Chui pumping plants, Arizona, $4,500; Coachella Valley pumping plants, California, $2,000; Morongo Reservation, California, $3,500; Pala and Rincon Reservations, California, $2,000; miscellaneous projects, $5,000;

Irrigation district five: New Mexico Pueblos, $10,000; Zuni Reservation, New Mexico, $10,000; Navajo and Hopi, miscellaneous projects, Arizona and New Mexico, $14,000; Southern Ute Reservation, Colorado, $10,000;

Administration.
Irrigation engineers, etc.

For necessary miscellaneous expenses incident to the general administration of Indian irrigation projects, including salaries of one chief irrigation engineer, one assistant chief irrigation engineer, one superintendent of irrigation competent to pass upon water rights, not to exceed five supervising engineers, one field cost accountant, and for traveling and incidental expenses of officials and employees of the Indian irrigation service, $93,000;

Traveling, etc., expenses.

Reimbursement.
Balances available.
45 Stat., 1573.
Ante, 100.
38 Stat., 582, vol. 4, 8.
U. S. C., p. 715.
Provisos.
Use restricted.

In all, for irrigation on Indian reservations, not to exceed $193,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1930, which is hereby continued available until June 30, 1931, reimbursable as provided in the Act of August 1, 1914 (U. S. C., title 25, sec. 385): *Provided*, That no part of this appropriation shall be expended on any irrigation system or reclamation project for which public funds are or may be otherwise available: *Provided further*, That the foregoing amounts appropriated for such purposes shall be available interchangeably, in the discretion of the Secretary of the Interior, for the necessary expenditures for damages by floods and other unforeseen exigencies, but the amount so interchanged shall not exceed in the aggregate 10 per centum of all the amounts so appropriated: *Provided further*, That the costs of irrigation projects and of operating and maintaining such projects where reimbursement thereof is required by law shall be apportioned on a per acre basis against the lands under the respective projects and shall be collected by the Secretary of the Interior as required by such law, and any unpaid charges outstanding against such lands shall constitute a first lien thereon which shall be recited in any patent or instrument issued for such lands.

Flood damages, etc., expenses, interchangeable.

Limitation.

Apportionment of costs on per acre basis.

Unpaid charges a first lien on property.

San Carlos project, Ariz.
Operation, etc.
43 Stat., 475, vol. 4, 447.

For all purposes necessary to provide an adequate distributing, pumping, and drainage system for the San Carlos project, authorized by the Act of June 7, 1924 (43 Stat., p. 475), and to continue construction of and to maintain and operate works of that project and of the Florence-Casa Grande project; and to maintain, operate, and extend works to deliver water to lands in the Gila River Indian Reservation which may be included in the San Carlos project, including not more than $5,000 for crop and improvement damages and not more than $5,000 for purchases of rights of way, $600,000, reimbursable as required by said Act of June 7, 1924, as amended, and subject to the conditions and provisions imposed by said Act as amended.

Delivery of water to lands on Gila River Reservation.

45 Stat., 1573.
Ante, 100.

Colorado River Reservation, Ariz.
Extending irrigation on.
36 Stat., 273, vol. 3, 432.

For improvement, operation, and maintenance of the pumping plants and irrigation system on the Colorado River Indian Reservation, Arizona, as provided in the Act of April 4, 1910 (36 Stat., p. 273), $25,000, reimbursable as provided in the aforesaid Act.

Ganado project, Ariz.
Operation.

For operation and maintenance of the Ganado irrigation project, Arizona, reimbursable under such rules and regulations as the Secretary of the Interior may prescribe, $5,000.

San Carlos Reservation, Ariz.
Irrigating tribal lands.
Proviso.
Reimbursement.

For the operation and maintenance of pumping plants for the irrigation of lands on the San Carlos Reservation in Arizona, $5,000, to be paid from the funds held by the United States in trust for the Indians of such reservation: *Provided*, That the sum so used shall be reimbursed to the tribe by the Indians benefited, under such rules and regulations as the Secretary of the Interior may prescribe.

Fort Hall, Idaho.
Operation.

For improvements, maintenance, and operation of the Fort Hall irrigation system, Idaho, $40,000.

Kootenai Indians, Idaho.
Drainage of allotments.
45 Stat., 938; ante, 62.
Balance available.

45 Stat., 1574.
Ante, 101.

For the purpose of carrying out the provisions of the Act approved May 29, 1928 (45 Stat., p. 938), to provide reclamation of Kootenai Indian allotments in Idaho within the exterior boundaries of drainage districts that may be benefited by drainage works of such districts, the unexpended balance of the appropriation of $114,000 contained in the Act of March 4, 1929 (45 Stat., p. 1574), is hereby continued available until June 30, 1931.

Sac and Fox Indians, Iowa.
Drainage of lands.
Balance available.
45 Stat., 1574; ante, 101.
Provisos.
Reimbursement from lands benefited.

Lien against, not enforceable while title in Indians.

Lands sold, subject to lien.

For the construction of a drainage system for lands of the Sac and Fox Indians in Iowa, the unexpended balance of the appropriation of $10,000 contained in the Act of March 4, 1929 (45 Stat., p. 1574), is hereby continued available until June 30, 1931: *Provided*, That said amount or so much thereof as may be used in the construction of the drainage system shall be reimbursed to the United States from the proceeds of leases covering the Indian lands benefited by the drainage work, and the Secretary of the Interior is hereby authorized to lease such lands for periods not in excess of five years, and one-half the proceeds derived therefrom shall be used for payment of the cost of said work and the balance placed in the Treasury to the credit of the Indians, to bear interest at the rate of 4 per centum per annum: *Provided further*, That there is hereby created against such lands a first lien, which lien shall not be enforced during the period that the title to such lands remains in the Indians, but that in case of sale of any such lands said lands shall be sold subject to the first lien herein created, and a recital of said lien shall be made in all patents or deeds issued for any lands benefited under the drainage ditch.

Fort Belknap Reservation, Mont.
Operation, etc.
36 Stat., 270, vol. 3, 429.

For maintenance and operation, repairs and continuation of construction of the irrigation systems on the Fort Belknap Reservation, in Montana, $18,000, reimbursable in accordance with the provisions of the Act of April 4, 1910 (36 Stat., p. 270).

Flathead Reservation, Mont.
Continuing construction of specified objects, etc.

Provisos.
Balance available for power plant.
45 Stat., 1574; ante, 101.

Additional contracts authorized.

Reimbursement.

Charges repaid, covered into construction costs.

For operation and maintenance of the irrigation systems on the Flathead Indian Reservation, Montana, $15,000; for continuation of construction, Camas A betterment, $12,000; to complete construction Kicking Horse Reservoir, $100,000; Nine Pipe Feed Canal structures, $15,000; to complete Nine Pipe Reservoir, $5,000; Twin Reservoir, $30,000; lateral systems betterment, $25,000; miscellaneous engineering, surveys and examinations, $15,000; headquarters buildings, $15,000; for the construction or purchase of a power distributing system or for construction of a power plant, $40,000; in all, $272,000: *Provided*, That the unexpended balance of the appropriations for continuing construction of this project now available shall remain available for the fiscal years 1930 and 1931 for such construction or purchase of a power-distributing system or for construction of a power plant: *Provided further*, That in addition to the amounts herein appropriated for such construction or purchase of a power-distributing system or for construction of a power plant, the Secretary of the Interior may also enter into contracts for the same purposes not exceeding a total of $200,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof and appropriations hereafter made for such purposes shall be considered available for the purpose of discharging the obligation so created: *Provided further*, That the funds made available herein for continuation of construction shall be subject to the reimbursable and other conditions and provisions of said Acts: *And provided further*, That upon execution by the Jocko and Mission Districts of repayment contracts in pursuance to existing law, the operation and maintenance charges for those districts for the irrigation season of 1930 shall be covered into construction costs.

For improvement, maintenance, and operation, $26,750; and for first of three year construction program of the Two Medicine and Badger-Fisher divisions of the irrigation systems on the Blackfeet Indian Reservation in Montana, including the purchase of any necessary rights or property, $64,250; in all, $91,000 (reimbursable).

Blackfeet Reservation, Mont.
Operating divisions of systems on.

For maintenance and operation of the irrigation systems on the Crow Reservation, Montana, including maintenance assessments payable to the Two Leggings Water Users' Association and Bozeman Trail Ditch Company, Montana, properly assessable against lands allotted to the Indians irrigable thereunder, $1,000, to be reimbursed under such rules and regulations as may be prescribed by the Secretary of the Interior in accordance with the Act of May 26, 1926 (44 Stat., pp. 658–660).

Crow Reservation, Mont.
Operating systems on.

Reimbursement.
44 Stat., 658, vol. 4, 532.

For operation and maintenance of the irrigation system on the Pyramid Lake Reservation, Nevada, $4,000, reimbursable from any funds of the Indians of this reservation now or hereafter available.

Pyramid Lake Reservation, Nev.
Operating system on.

For payment of annual installment of reclamation charges against Paiute Indian lands within the Newlands reclamation project, Nevada, $4,421; and for payment in advance, as provided by district law, of operation and maintenance assessments, including assessments for the operation of drains to the Truckee-Carson irrigation district, which district, under contract, is operating the Newlands reclamation project, $11,020 to be immediately available; in all, $15,441.

Newlands project, Nev.
Paying charges on Paiute lands within.

For improvement, operation, and maintenance of the irrigation system for the Laguna and Acoma Indians in New Mexico, $3,000, reimbursable by the Indians benefited, under such rules and regulations as the Secretary of the Interior may prescribe.

Laguna and Acoma Indians, N. Mex.
Operating systems for.

For improvement, operation, and maintenance of the Hogback irrigation project on that part of the Navajo Reservation in New Mexico under the jurisdiction of the Northern Navajo Agency, $7,000, reimbursable under such rules and regulations as the Secretary of the Interior may prescribe.

Hogback project, Navajo Reservation, N. Mex.
Operation.

For repair of damage to irrigation systems resulting from flood and for flood protection of irrigable lands on the several pueblos in New Mexico, $5,000, and the unexpended balance of the appropriation for this purpose for the fiscal year 1930 shall be available for the same purpose for the fiscal year 1931.

New Mexico pueblos.
Repairing flood damages to irrigation systems on.

Payment to Middle Rio Grande Conservancy District: The unexpended balances of the appropriations for payment to the Middle Rio Grande Conservancy District for the fiscal years 1929 and 1930 are made available for the fiscal year 1931.

Middle Rio Grande Conservancy District, N. Mex.
Balances available.
45 Stat., 1640; ante, 121.

For improvement, maintenance, and operation of miscellaneous irrigation projects on the Klamath Reservation, $3,500, to be paid from the funds held by the United States in trust for the Klamath Indians in the State of Oregon, said sum, or such part thereof as may be used, to be reimbursed to the tribe under such rules and regulations as the Secretary of the Interior may prescribe.

Klamath Reservation, Oreg.
Operating projects on, from tribal funds.

Lake Andes, South Dakota, spillway and drainage ditch: The unexpended balance of $48,612.76 of the appropriation for the construction of a spillway and drainage ditch to lower the level of Lake Andes, South Dakota, contained in the Act of September 22, 1922 (42 Stat., p. 1051), and covered into the surplus fund by the Act of March 7, 1928 (45 Stat., p. 215), which was reappropriated for the same purposes during the fiscal year 1930 in the Act of March 4, 1929 (45 Stat., p. 1641), is hereby continued available for the same purposes during the fiscal year 1931: *Provided*, That no part of this appropriation shall be expended until the Secretary of the Interior shall have obtained

Lake Andes, S. Dak.
Spillway and drainage ditch.
Balance available.
42 Stat., 1051, vol. 4, 367.
45 Stat., 215, 1641; ante, 123, 127.

Proviso.
Condition.

Contribution from South Dakota required.

from the proper authorities of the State of South Dakota satisfactory guaranties of the payment by said State of one-half of the cost of the construction of the said spillway and drainage ditch.

Uncompahgre, etc., Utes, Utah.
Continuing irrigation of allotment of.
34 Stat., 375, vol. 3, 242.
Reimbursement to tribal funds.

For continuing operation and maintenance and betterment of the irrigation system to irrigate allotted lands of the Uncompahgre, Uintah, and White River Utes in Utah, authorized under the Act of June 21, 1906 (34 Stat., p. 375), $9,000, to be paid from tribal funds held by the United States in trust for said Indians, said sum to be reimbursed to the tribal fund by the individuals benefited under such rules and regulations as may be prescribed by the Secretary of the Interior: *Provided*, That not to exceed $5,000 of the amount herein appropriated shall be available for the purchase of four sites and the construction of cottages thereon for use of ditch riders employed by the project.

Proviso.
Sites for ditch riders.

Yakima Reservation, Wash.
Toppenish-Simcoe unit.
41 Stat., 28, vol. 4, 219.

For operation and maintenance, including repairs, of the Toppenish-Simcoe irrigation unit, on the Yakima Reservation, Washington, reimbursable as provided by the Act of June 30, 1919 (41 Stat., p. 28), $2,000.

Reimbursing reclamation fund for stored water to Reservation.
38 Stat., 604, vol. 4, 29.

For reimbursement to the reclamation fund the proportionate expense of operation and maintenance of the reservoirs for furnishing stored water to the lands in Yakima Indian Reservation, Washington, in accordance with the provisions of section 22 of the Act of August 1, 1914 (38 Stat., p. 604), $11,000.

Satus unit of Wapato project.
Operating.

For operation and maintenance of the Satus unit of the Wapato project that can be irrigated by gravity from the drainage water from the Wapato project, Yakima Reservation, Washington, $1,000; for construction of pumping plant and canals for the irrigation of higher lands in subdivision 2 of the Satus unit, $90,000; in all, $91,000, to be reimbursed under such rules and regulations as the Secretary of the Interior may prescribe.[1]

Ahtanum project, Wash.
Increasing water supply.

For investigations for increasing the water supply of the Ahtanum irrigation project, Yakima Reservation, Washington, $12,000.

Wind River Reservation, Wyo.
Extending irrigation to additional Indian lands, etc.

For the extension of canals and laterals on the ceded portion of the Wind River Reservation, Wyoming, to provide for the irrigation of additional Indian lands, and for the Indians' pro rata share of the cost of the operation and maintenance of canals and laterals and for the Indians' pro rata share of the cost of the Big Bend drainage project on the ceded portion of that reservation, and for continuing the work of constructing an irrigation system within the diminished reservation, including the Big Wind River and Dry Creek Canals, and including the maintenance and operation and completed canals, $45,000, reimbursable as provided by existing law.

Expenditures under direction of Commissioner of Indian Affairs.

Appropriations herein for irrigation and drainage of Indian lands shall be available only for expenditure by and under the direction of the Commissioner of Indian Affairs.

Education.

EDUCATION

Support of schools.

For the support of Indian day and industrial schools not otherwise provided for, and other educational and industrial purposes in connection therewith, $3,267,000: *Provided*, That not to exceed $10,000 of this appropriation may be used for the support and education of deaf and dumb or blind or mentally deficient Indian children: *Provided further*, That $4,500 of this appropriation may be used for the education and civilization of the Alabama and Coushatta Indians in Texas: *Provided*

Provisos.
Deaf and dumb, blind, etc.

[1] 53 I. D. D., 632.

further, That not more than $450,000 of the amount herein appropriated may be expended for the tuition of Indian children enrolled in the public schools under such rules and regulations as the Secretary of the Interior may prescribe, but formal contracts shall not be required, for compliance with section 3744 of the Revised Statutes (U. S. C., title 41, sec. 16), for payment of tuition of Indian children in public schools or of Indian children in schools for the deaf and dumb, blind, or mentally deficient: *Provided further*, That not less than $6,500 of the amount herein appropriated shall be available only for purchase of library books: *And provided further*, That not to exceed $10,000 of the amount herein appropriated shall be available for educating Indian youth in stock raising at the United States Range Livestock Experiment Station at Miles City, Montana.

Alabamas and Coushattas.
Tuition of Indian children in public schools.
No formal contracts for.
R. S., sec. 3744, p. 738.
U. S. C., p. 1310.

Library books.

Stock raising.
Education of, at Miles City Experiment Station, Mont.

For the support of Indian day and industrial schools, and other educational and industrial purposes in connection therewith, other than among the Five Civilized Tribes, there shall be expected from Indian tribal funds and from school revenues arising under the Act of May 17, 1926 (44 Stat., p. 560), not more than $750,000, including the following amount from the principal sum on deposit to the credit of the Chippewa Indians in Minnesota, arising under section 7 of the Act approved January 14, 1889 (25 Stat., p. 645): $10,000 for the construction, equipment, and maintenance of public schools in connection with and under the control of the public-school system of the State of Minnesota, said schools buildings to be located at places contiguous to Indian children who are now without proper public-school facilities: *Provided*, That not more than $7,500 of the above authorization of $750,000 shall be expended for new construction at any one school unless herein expressly authorized.

Support of schools from tribal funds, etc.

44 Stat., 560, vol. 4, 548.

Chippewas in Minnesota.
25 Stat., 645, vol. 1, 305.

Proviso.
New construction limitation.

For the support of schools and for tuition among the Five Civilized Tribes, there may be expended from tribal funds of such nations $233,200 as follows: Seminole Nation, $38,000; Chickasaw Nation, $24,000; Choctaw Nation, $171,200, of which latter amount there may be expended $10,000 for heating plant at Jones Male Academy: *Provided*, That the balance remaining to the credit of the Cherokee Nation, amounting to $201.08, and any additional amount placed to the credit of the Cherokee Nation, on or before June 30, 1930, not to exceed $500, is authorized to be expended in the purchase of additional land for the Sequoyah Orphan Training School.

Five Civilized Tribes.
Schools of, from tribal funds.

Proviso.
Additional land for Sequoyah School.

For subsistence of pupils retained in Government boarding schools of all classes during summer months, $64,000.

Subsistence during summer months at Government boarding schools.

For collection and transportation of pupils to and from Indian and public schools, and for placing school pupils, with the consent of their parents, under the care and control of white families qualified to give them moral, industrial, and educational training, $90,000.

Collecting, etc., pupils.

For lease, purchase, repair, and improvement of school buildings, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $300,000; for construction of physical improvements, $485,000, and the unexpended balance for new construction at any school or institution contained in the Act of March 4, 1929 (45 Stat., p. 1577), is hereby made available for construction of physical improvements until June 30, 1931; in all, $785,000: *Provided*, That not more than $7,500 out of this appropriation shall be expended for new construction at any one school or institution except for new construction authorized as follows: Completing enlargement, including equipment, of Western Navajo boarding school, Arizona,

School buildings.
Lease, repair, construction, etc.

Balance available.
45 Stat., 1577; ante, 105.

Proviso.
New construction limited.

Exception for designated schools.

$193,000, of which $20,000 shall be immediately available; completing enlargement, includiing equipment, of Ignacio boarding school, Colorado, $119,000; gymnasium and equipment, Blackfeet boarding school, Montana, $25,000; dining hall and kitchen, Pima boarding school, Arizona, $26,500; employees' quarters, Fort Apache boarding school, Arizona, $20,000, to be immediately available; Paiute day school, Utah, $10,000; Lummi day school and teacher's cottage, Washington, $12,500; Independence day school, $8,800, and Shell Creek day school, North Dakota, $14,800.

Reservations in Arizona.
Repair, etc., of public school buildings in, maintained by the State.

For repair, improvement, replacement, or construction of additional public-school buildings within Indian reservations in Arizona, attended by children of the Indian Service, to be equipped and maintained by the State of Arizona, $11,500.

Equipment for schools.

For the purchase of furniture, school, shop, and other equipment for Indian day and reservation and nonreservation boarding schools, $200,000, to supplement other applicable appropriations.

Support, etc., of designated boarding schools.

For support and education of Indian pupils at the following boarding schools in not to exceed the following amounts, respectively:

Fort Mojave, Ariz.

Fort Mojave, Arizona: For two hundred pupils, $61,000; for pay of superintendent, drayage, and general repairs and improvements, the unexpended balance of the appropriation for this purpose for the fiscal year 1930 is hereby made available for the fiscal year 1931;

Balance available.
45 Stat., 1578; ante, 105.

Phoenix, Ariz.

Phoenix, Arizona: For nine hundred and seventy-five pupils, including not to exceed $1,500 for printing and issuing school paper, $287,625; for pay of superintendent, drayage, and general repairs and improvements, $25,000; for school building, $25,000; for enlarging home economics building, $12,500; in all, $350,125: *Provided*, That the unexpended balance of the appropriation for the fiscal year 1930 for new hospital and equipment is hereby continued available during the fiscal year 1931;

Proviso.
Balance available.
45 Stat., 1578; ante, 105.

Truxton Canyon, Ariz.

Truxton Canyon, Arizona: For two hundred and fifteen pupils, $65,575; for pay of superintendent, drayage, and general repairs and improvements, $10,000; for completion of central heating plant and construction of light and power plant building, including necessary equipment and machinery, $21,000; for employees' cottage, $3,000; for dairy barn and equipment, $4,500; in all, $104,075;

Theodore Roosevelt Fort Apache, Ariz.

Theodore Roosevelt Indian School, Fort Apache, Arizona: For four hundred and fifty pupils, $137,250; for pay of superintendent, drayage, and general repairs and improvements, $20,000; for employees' quarters, including equipment, $22,000; in all, $179,250;

Sherman Institute, Riverside, Calif.

Sherman Institute, Riverside, California: For one thousand pupils, including not to exceed $1000 for printing and issuing school paper, $295,000; for pay of superintendent, drayage, and general repairs and improvements, $18,000; for construction of employees' quarters, shop building, ice plant, and addition to domestic science building, $16,000; in all, $329,000;

Fort Bidwell, Calif.

Fort Bidwell Indian School, California: For one hundred pupils, $33,000; for pay of superintendent, drayage, and general repairs and improvements, $8,000; in all, $41,000;

Haskell Institute, Lawrence, Kans.

Haskell Institute, Lawrence, Kansas: For nine hundred pupils, including not to exceed $1,500 for printing and issuing school paper, $265,500; for pay of superintendent, drayage, purchase of water for domestic purposes, and general repairs and improvements, including necessary drainage work, $25,000; for girls' dormitory, including equipment, to be immediately available, $85,000; in all, $375,500;

Mount Pleasant, Mich.

Mount Pleasant, Michigan: For three hundred and seventy-five pupils, $114,375; for pay of superintendent, drayage, and general

repairs and improvements, $13,000; for enlarging employees' building, including equipment, $12,000; for girls' industrial building, including equipment, $25,000; in all, $164,375;

Pipestone, Minnesota: For three hundred and fifteen pupils, $96,075; for pay of superintendent, drayage, and general repairs and improvements, $15,000; for lavatory annex to girls' dormitory, $10,000; for employees' cottage, $4,000; for gymnasium, including equipment, $30,000; in all, $155,075; Pipestone, Minn.

Genoa, Nebraska: For five hundred pupils, including not more than $400 for printing and issuing school paper, $152,500; for pay of superintendent, drayage, and general repairs and improvements, $18,000; for home economics building, including equipment, $15,000; for commissary building, $5,000; for employee's cottage, $3,000; for cattle shed, $3,000; for completion of heating, lighting, and power plant, $12,000; for new well and equipment, $4,000; in all, $212,500; Genoa, Nebr.

Carson City, Nevada: For four hundred and fifty pupils, $137,250; for pay of superintendent, drayage, and general repairs and improvements, $15,000; for remodeling and repairing old girls' dormitory, $10,000; for boys' dormitory, including equipment, $50,000; for industrial building, $25,000; for warehouse and commissary, $5,000; for laundry building, $8,000; in all, $250,250; Carson City, Nev.

Albuquerque, New Mexico: For eight hundred and fifty pupils, $250,750; for pay of superintendent, drayage, and general repairs and improvements, $25,000; for employees' quarters, including equipment, $40,000; for remodeling boys' dormitory and construction of bath annex, $15,000; in all, $330,750: *Provided*, That the unexpended balance of the appropriation for the purchase of additional land for this school contained in the Interior Department Appropriation Act for the fiscal year 1929 (45 Stat., p. 218), is hereby continued available until June 30, 1931; Albuquerque, N. Mex.

Proviso.
Balance available.

45 Stat., 218; ante, 24.

Santa Fe, New Mexico: For five hundred pupils, $152,500; for pay of superintendent, drayage, and general repairs and improvements, $15,000; for remodeling school building, $10,000; for two employees' cottages, $6,000; for remodeling employees' club building, $3,000; for converting wing of boys' dormitory into employees' quarters, $10,000; in all, $196,500; Santa Fe, N. Mex.

Charles H. Burke School, Fort Wingate, New Mexico: For six hundred pupils, $177,000; for pay of superintendent, drayage, and general repairs and improvements, $20,000; for lavoratory annexes to girls' and boys' dormitories, $15,000; for utilization of water supply for irrigation purposes, $12,000; for industrial building, $40,000; in all, $264,000; Charles H. Burke, Fort Wingate, N. Mex.

Cherokee, North Carolina: For three hundred and seventy-five pupils, $114,375; for pay of superintendent, drayage, and general repairs and improvements, $12,000; for lavatory annexes to girls' and boys' buildings, $8,000; in all, $134,375; Cherokee, N. C.

Bismarck, North Dakota: For one hundred and twenty-five pupils, $41,250; for pay of superintendent, drayage, and general repairs and improvements, $6,000; for home economics cottage, $6,000; in all, $53,250; Bismarck, N. Dak.

Fort Totten, North Dakota: For two hundred and sixty-five pupils, $80,825; for pay of superintendent, drayage, and general repairs and improvements, $20,000; for enlarging school building, $5,000; in all, $105,825; Fort Totten, N. Dak.

Wahpeton, North Dakota: For three hundred and twenty-five pupils, $99,125; for pay of superintendent, drayage, and general repairs and improvements, $12,000; for employees' cottage, $5,000; for Wahpeton, N. Dak.

home economics building, including equipment, $10,000; for improving roads and grounds, $12,000; in all, $138,125: *Provided*, That the unexpended balance of the appropriation for the purchase of land contained in the Interior Department Appropriation Act for the fiscal year 1930 is hereby continued available until June 30, 1931;

Proviso. Balance available. 45 Stat., 1579; ante, 105.

Chilocco, Okla.

Chilocco, Oklahoma: For nine hundred pupils, including not to exceed $2,000 for printing and issuing school paper, $265,500; for pay of superintendent, drayage, and general repairs and improvements, $22,000; for girls' dormitory, including equipment, $80,000; for remodeling hospital, $7,500; for repairs to old dairy barn, $8,000; in all, $383,000;

Sequoyah Orphan Training School, Okla.

Sequoyah Orphan Training School, near Tahlequah, Oklahoma: For three hundred and twenty-five orphan Indian children of the State of Oklahoma belonging to the restricted class, to be conducted as an industrial school under the direction of the Secretary of the Interior, $99,125; for pay of superintendent, drayage, and general repairs and improvements, $12,000; for commissary building, $7,500; for laundry building, including equipment, to be immediately available, $12,000; for employee's cottage, $5,000; for a building for employees' quarters, $15,000; for construction and equipment of shop building, to be immediately available, $15,000; in all, $165,625;

Bloomfield, Okla. To be known as Carter Seminary.

Bloomfield, Oklahoma, to be known hereafter as Carter Seminary in honor of the late Honorable Charles D. Carter: For one hundred and sixty pupils, $52,800; for pay of superintendent, drayage, and general repairs and improvements, $6,000; for employees' building, $20,000; in all, $78,800;

Euchee, Okla.

Euchee, Oklahoma: For one hundred and fifteen pupils, $37,950; for pay of superintendent, drayage, and general repairs and improvements, $8,000; in all, $45,950;

Eufaula, Okla.

Eufaula, Oklahoma: For one hundred and twenty-five pupils, $41,250; for pay of superintendent, drayage, and general repairs and improvements, $7,000; for remodeling school building, $10,000; in all, $58,250;

Chemawa, Salem, Oreg.

Chemawa, Salem, Oregon: For seven hundred and fifty pupils, including native Indian pupils brought from Alaska, including not to exceed $1,000 for printing and issuing school paper and $5,000 to be available only for conducting extension work and short courses for adult Indians, $226,250; for pay of superintendent, drayage, and general repairs and improvements, $20,000; for gymnasium, including equipment, to be immediately available, $60,000; in all, $306,250: *Provided*, That except upon the individual order of the Secretary of the Interior no part of this appropriation shall be used for the support or education at said school of any native pupil brought from Alaska after January 1, 1925;

Proviso. Restriction on Alaska natives.

Flandreau, S. Dak.

Flandreau, South Dakota: For four hundred and twenty-five pupils, $129,625; for pay of superintendent, drayage, and general repairs and improvements, $15,000; for addition to girls' dormitory, $10,000; for home economics building, including equipment, $15,000; in all, $169,625;

Pierre, S. Dak.

Pierre, South Dakota: For three hundred and twenty-five pupils, $99,125; for pay of superintendent, drayage, and general repairs and improvements, $15,000; for new school building, auditorium, and gymnasium, including equipment, $100,000; for purchase of land, $3,000; in all, $217,125: *Provided*, That the unexpended balance of the appropriation contained in the Interior Department Appropriation Act for the fiscal year 1930, for enlarging and remodeling buildings, shall remain available until June 30, 1931;

Proviso. Balance available. 45 Stat., 1580. Ante, 106.

Rapid City, South Dakota: For two hundred and fifty pupils, $76,250; for pay of superintendent, drayage, and general repairs and improvements, $15,000; in all, $91,250; Rapid City, S. Dak.

Hayward, Wisconsin: For one hundred and sixty pupils, $52,800; for pay of superintendent, drayage, and general repairs and improvements, $8,000; in all, $60,800; Hayward, Wis.

Tomah, Wisconsin: For three hundred and fifty pupils, $106,750; for pay of superintendent, drayage, and general repairs and improvements, $16,000; for enlarging employees' club building, $10,000; for enlarging boys' dormitory, including lavatory annex, $25,000; in all, $157,750; Tomah, Wis.

In all, for above-named boarding schools, not to exceed $5,093,250: *Provided*, That not less than $6,000 of this amount shall be available only for purchase of library books: *Provided further*, That 10 per centum of the foregoing amounts for physical improvements shall be available interchangeably for expenditures in the various boarding schools named, but not more than 10 per centum shall be added to the amount appropriated for any one of said boarding schools or for any particular item within any boarding school. Any such interchanges shall be reported to Congress in the annual Budget.

Provisos.
Purchase of library books.
Amount for physical improvements interchangeable.
Report to Congress.

The Secretary of the Interior is authorized to withdraw from the Treasury of the United States, in his discretion, the sum of $38,000, or so much thereof as may be necessary, of the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota arising under section 7 of the Act of January 14, 1889 (25 Stat., p. 645), and to expend the same for payment of tuition for Chippewa Indian children enrolled in the public schools of the State of Minnesota.

Chippewas of Minnesota.
Tuition of children, of, in State schools, from tribal funds.
25 Stat., 645, vol. 1, 301.

For support of a school or schools for the Chippewas of the Mississippi in Minnesota (article 3, treaty of March 19, 1867), $4,000.

Chippewas of the Mississippi.
School for.
16 Stat., 726, vol. 2, 974.

For the education of Osage children, $12,800, to be paid from the funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma: *Provided*, That the expenditure of said money shall include the renewal of the present contract with the Saint Louis Mission boarding school, except that there shall not be expended more than $240 for annual support and education of any one pupil.

Osages in Oklahoma.
Educating children from trust fund.
Proviso.
Saint Louis Mission boarding school.

For aid to the common schools in the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Nations and the Quapaw Agency in Oklahoma, $350,000, to be expended in the discretion of the Secretary of the Interior, and under rules and regulations to be prescribed by him: *Provided*, That this appropriation shall not be subject to the limitation in section 1 of the Act of May 25, 1918 (U. S. C., title 25, sec. 297), limiting the expenditure of money to educate children of less than one-fourth Indian blood: *Provided further*, That not to exceed $1,800 of this appropriation may be expended in the printing and issuance of a paper devoted to Indian education, which paper shall be printed at an Indian school: *And provided further*, That of the above amount not to exceed the sum of $10,000 may be expended under rules and regulations of the Secretary of the Interior, in part payment of truancy officers in any county or two or more contiguous counties where there are five hundred or more Indian children eligible to attend school, and the additional sum of not to exceed the sum of $10,000 may be expended in the discretion of the Secretary of the Interior for the payment of salaries of teachers in special Indian day schools in full-blood Indian communities where there are not adequate white day schools available for their attendance.

Five Civilized Tribes, and Quapaws.
Common schools.
Provisos.
Parentage limitation not applicable.
40 Stat., 564, vol. 4, 149.
U. S. C., p. 708.
Printing school paper.
Payment to truant officers.
Teachers in full-blood Indian communities.

For support and maintenance of day and industrial schools among the Sioux Indians, including the erection and repairs of school build-

Sioux Indians.
Day and industrial schools.

19 Stat., 254, vol. 1, 168.

ings, in accordance with the provisions of article 5 of the agreement made and entered into September 26, 1876, and ratified February 28, 1877 (19 Stat., p. 254), $375,500.

Uintah and Duchesne Counties, Utah.
Aid to school districts.

For aid of the public schools in Uintah and Duchesne County school districts, Utah, $6,000, to be paid from the tribal funds of the Confederated Bands of Ute Indians and to be expended under such rules and regulations as may be prescribed by the Secretary of the Interior: *Provided*, That Indian children shall at all times be admitted to such schools on an entire equality with white children.

Proviso.
Equality with white children.

Conservation of health.

CONSERVATION OF HEALTH

Expenses designated.

For conservation of health among Indians (except at boarding schools supported from specific appropriations, other than those named herein), including equipment, materials, and supplies; repairs and improvements to buildings and plants; compensation and traveling expenses of officers and employees and renting of quarters for them when necessary; transportation of patients and attendants to and from hospitals and sanatoria; returning to their former homes and interring the remains of deceased patients; and not exceeding $1,000 for circulars and pamphlets for use in preventing and suppressing trachoma and other contagious and infectious diseases, $3,073,000, and in addition thereto the appropriation of $65,000 for the construction of the Oraibi Sanatorium, Arizona, contained in the Interior Department Appropriatoin Act for the fiscal year 1930, is reappropriated and made available including not to exceed the sum of $2,008,000 for the following-named hospitals and sanatoria:

Suppressing trachoma, etc.

Oraibi Sanatorium, Ariz.
Reappropriation for.
45 Stat., 1582.
Ante, 106.

Allotments to specified hospitals and sanatoria.
Arizona.

Arizona: Indian Oasis Hospital, $21,500; Kayenta Tuberculosis Sanatorium, $40,000; Fort Defiance Sanatorium, $80,000; Phoenix Sanatorium, $68,000; for boys' building, $25,000; for nurses' home, $10,000; in all, $103,000; Pima Hospital, $21,000; Truxton Canyon Hospital, $8,000; Western Navajo Hospital, $32,000; Chin Lee Hospital, $9,000; Fort Apache Hospital, $25,000; Havasupai Hospital, $5,000; Hopi Hospital, $35,000; Leupp Hospital, $26,000; San Carlos Hospital, $18,000; Southern Navajo General Hospital, $28,000; Tohatchi Hospital, $9,000; Colorado River Hospital, $21,500; Phoenix Boarding School Hospital, for care of reservation patients, $13,000;

California.

California: Hoopa Valley Hospital, $18,000; Soboba Hospital, $18,000; Fort Bidwell Hospital, $13,000; Fort Yuma Hospital, $11,000;

Idaho.

Idaho: Fort Lapwai Sanatorium, $83,000; Fort Hall Hospital, $10,500;

Iowa.

Iowa: Sac and Fox Sanatorium, $66,000;

Mississippi.

Mississippi: Choctaw Hospital, $16,000; for tuberculosis annex, $20,000; in all, $36,000;

Montana.

Montana: Blackfeet Hospital, $24,000; for construction and equipment of nurses' quarters, $8,000; in all, $32,000; Fort Peck Hospital, $22,000; Crow Agency Hospital, $24,000; Fort Belknap Hospital, $21,500; Tongue River Hospital, $21,500;

Nebraska.

Nebraska: Winnebago Hospital, $29,000;

Nevada.

Nevada: Carson Hospital, $19,000; Pyramid Lake Sanatorium, $32,000; for construction and equipment of employees' quarters, $10,000; in all, $42,000;

New Mexico.

New Mexico: Jicarilla Hospital, $14,000; Jicarilla Sanatorium, $41,000; Laguna Sanatorium, $30,000; Mescalero Hospital, $18,000; Eastern Navajo Hospital, $14,000; Northern Navajo Hospital, $26,000; for construction and equipment of employees' quarters, $12,000; in all, $38,000; Taos Hospital, $9,000; Zuni Sanatorium, $55,000; Albuquerque Boarding School Hospital, for care of reser-

vation patients, $30,000; Charles H. Burke Boarding School Hospital, for care of reservation patients, $8,000; Santa Fe Boarding School Hospital, for care of reservation patients, $23,000;

North Carolina.

North Carolina: Cherokee Boarding School Hospital, for care of reservation patients, $8,000;

North Dakota.

North Dakota: Turtle Mountain Hospital, $35,000; Fort Berthold Hospital, $21,500; Fort Totten Hospital, $26,000; for construction and equipment of employees' quarters, $12,000; in all, $38,000;

Oklahoma.

Oklahoma: Cheyenne and Arapahoe Hospital, $33,000; for construction and equipment of employees' quarters, $12,000; in all, $45,000; Choctaw and Chickasaw Hospital, $50,000; Shawnee Sanatorium, $68,000; for infirmary and equipment, $75,000; for central heating plant, $15,000; for employees' quarters, including equipment, $12,000; for warehouse, $8,000; in all, $178,000; Claremore Hospital, $30,000; Seger Hospital, $7,000; Pawnee and Ponca Hospital, $26,000;

South Dakota.

South Dakota: Crow Creek Hospital, $18,000; Pine Ridge Hospital, $35,000; for construction and equipment of employees' quarters, $10,000; in all, $45,000; Rosebud Hospital, $26,000; for construction and equipment of employees' quarters, $16,000; in all, $42,000.

Washington.

Washington: Yakima Sanatorium, $43,000; Tacoma Hospital, $150,000; Tulalip Hospital, $8,000;

Wisconsin.

Wisconsin: Hayward Hospital, $22,000;

Provisos.
Interchangeable expenditures.

Provided, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures in the various hospitals named, but not more than 10 per centum shall be added to the amount appropriated for any one of said hospitals or for any particular item within any hospital, and any interchange of appropriations hereunder shall be reported to Congress in the annual Budget;

Construction, etc., at designated hospitals.

Provided further, That this appropriation shall be available for construction of hospitals and sanatoria, including equipment as follows: San Xavier Sanatorium, and employees' quarters, Arizona, $70,000; Pipestone Hospital, and employees' quarters, Minnesota, $60,000; Omaha and Winnebago Hospital, and employees' quarters, Nebraska, $80,000; Walker River Hospital, Nevada, $40,000; Seger Hospital, and employees' quarters, Oklahoma, $57,000; Tomah Hospital, and employees' quarters, Wisconsin, $65,000; in all, $372,000.

Chippewas in Minnesota.
Hospitals for, from tribal funds.
25 Stat., 645, vol. 4, 301.

For support of hospitals maintained for the benefit of the Chippewa Indians in the State of Minnesota, $100,000, payable from the principal sum on deposit to the credit of said Indians arising under section 7 of the Act of January 14, 1889 (25 Stat., p. 645): *Provided*, That $10,000 of the appropriation of $50,000 contained in the Interior Department Appropriation Act for the fiscal year 1930 for the construction and equipment of a sanatorium building at Onigum, Minnesota, is hereby made available for the purchase of equipment, employment of additional personnel, and general repairs and improvements to buildings at Onigum Sanatorium.

Provisos.
Onigum, Minn.
Balance available for equipment, etc., of hospital.
45 Stat., 1582.
Ante, 107.

Health work.
Amount available for, from trust funds.

There shall be available for health work among the several tribes of Indians not exceeding $275,000 of the tribal trust funds authorized elsewhere in this Act for support of Indians and administration of Indian property: *Provided*, That not more than $7,500 of such amount may be expended for new construction in connection with health activities at any one place.

Proviso.
Limitation.

Canton, S. Dak.
Insane asylum expenses.

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, repairs, improvements, and for necessary expense of transporting insane Indians to and from said asylum, $50,000.

Support and administration.

GENERAL SUPPORT AND ADMINISTRATION

Expenses.

Proviso.
Detailed report of Five Civilized Tribes expenses.

For general support of Indians and administration of Indian property, including pay of employees, $1,070,000: *Provided*, That a report shall be made to Congress on the first Monday of December 1931 by the Superintendent of the Five Civilized Tribes through the Secretary of the Interior showing in detail the expenditure of all moneys from this appropriation on behalf of the said Five Civilized Tribes.

Fulfilling treaties.

Fulfilling treaties with Indians: For the purpose of discharging obligations of the United States under treaties and agreements with various tribes and bands of Indians as follows:

Coeur d' Alenes, Idaho.
26 Stat., 1029. For citation to Compilation, vol. see ante, 28.

Coeur d' Alenes, Idaho (article 11, agreement of March 3, 1891), $3,900;

Bannocks, Idaho.
15 Stat., 696.

Bannocks, Idaho (article 10, treaty of July 3, 1868), $7,580;

Crows, Mont.
15 Stat., 652.

Crows, Montana (articles 8 and 10, treaty of May 7, 1868), $7,480;

Northern Cheyennes, and Arapahoes, Mont.
19 Stat., 256.

Northern Cheyennes and Arapahoes, Montana (article 7, treaty of May 10, 1868, and agreement of February 28, 1877), $75,000;

Pawnees, Okla.
11 Stat., 731; 27 Stat., 644.

Pawnees, Oklahoma (articles 3 and 4, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), $51,000;

Quapaws, Okla.
7 Stat., 425.

Quapaws, Oklahoma (article 3, treaty of May 13, 1833), $2,280;

Sioux, different tribes.
15 Stat., 640; 19 Stat., 254.

Sioux of different tribes, including Santee Sioux of Nebraska, North Dakota, and South Dakota (articles 8 and 13, treaty of April 29, 1868, 15 Stat., p. 635, and Act of February 28, 1877, 19 Stat., p. 254), $440,000;

Utes, Confederated Bands.
15 Stat., 622.

Confederated Bands of Utes (articles 9, 12, and 15, treaty of March 2, 1868), $57,000;

Spokanes, Wash.
27 Stat., 139.

Spokanes, Washington (article 6, agreement of March 18, 1887), $1,320;

Shoshones, Wyo.
15 Stat., 675, 676.

Shoshones, Wyoming (articles 8 and 10, treaty of July 3, 1868), $8,000;

In all, for treaty stipulations, not to exceed $653,560.

Quapaw Agency, Okla.
Administering trust property of Indians at.
41 Stat., 416, vol. 4, 235.
U. S. C., p. 720.

For expenses incident to the administration of the restricted or trust property of Indians under the Quapaw Indian Agency, $18,000, reimbursable to the United States, as provided in the Act of February 14, 1920 (U. S. C., title 25, sec. 413).

Kootenai, Idaho.
Village site for, near Bonners Ferry.

For purchase of a village site for the Kootenai Indians, near Bonners Ferry, Idaho, and the construction of homes, tanning house, sewer and water systems, and the purchase of furniture, furnishings, and other supplies and equipment for said Indians, $27,000, to be immediately available.

General support, etc., at agencies, from tribal funds.

For general support of Indians and administration of Indian property under the jurisdiction of the following agencies, to be paid from the funds held by the United States in trust for the respective tribes, in not to exceed the following sums, respectively:

Arizona.

Arizona: Colorado River, $2,500; Fort Apache, $135,000, of which $5,000 may be used for construction, repairs, and improvements at the agency plant; Paiute, $7,200; Pima, $3,000; Salt River, $1,000; San Carlos, $82,000; Truxton Canyon, $36,000; in all, $266,700;

California.

California: Fort Yuma, $3,000; Mission, $500; Round Valley, $5,000; Tule River, $200; in all, $8,700;

Colorado.

Colorado: Consolidated Ute (Southern Ute, $5,000; Ute Mountain, $15,000); in all, $20,000;

Idaho.

Idaho: Fort Hall, $27,000; Fort Lapwai, $16,000; in all, $43,000;

Iowa.
Proviso.
No tax on trust lands.

Iowa: Sac and Fox, $600: *Provided*, That no part of this appropriation shall be available for the payment of taxes on any lands held in trust by the United States for the benefit of said Indians;

Kansas.

Kansas: Pottawatomie, $2,900;

Michigan.

Michigan: Mackinac, $200;

Minnesota.

Minnesota: Consolidated Chippewa, $1,500; Red Lake, $69,500, in-

cluding not to exceed $7,500 for an office building, payable out of trust funds of Red Lake Indians; in all, $71,000;

Montana: Blackfeet, $5,000; Crow, $5,000, which shall be available only for payment of expenses of members and delegates of the Crow tribal council as authorized by the Act of March 2, 1929 (45 Stat., p. 1496); Flathead, $42,000; Fort Peck, $15,000; Tongue River, $15,000; Rocky Boy, $3,000; in all, $85,000; Montana. Crow tribal council. 45 Stat., 1496. Ante, 91.

Nebraska: Omaha, $1,000; Nebraska.

Nevada: Carson (Pyramid Lake), $5,000; Walker River, $400; Western Shoshone, $15,000; in all, $20,400; Nevada.

New Mexico: Jicarilla, $60,000; Mescalero, $55,000; Navajo, $50,000, to be apportioned among the several Navajo jurisdictions in Arizona and New Mexico; Southern Pueblos (San Felipe), $172.82; in all, $165,172.82; New Mexico.

North Dakota: Fort Berthold, $1,000; Fort Totten (Devils Lake), $3,265.64; in all, $4,265.64; North Dakota.

Oklahoma: Pawnee (Otoe, $1,200; Ponca, $2,600), $3,800; Sac and Fox, $3,000; Kiowa, Comanche, and Apache, $60,000; Cheyennes and Arapahoes, $2,500; in all, $69,300; Oklahoma.

Oregon: Klamath, $148,000; Umatilla, $9,000; War Springs, $15,000; in all, $172,000. Oregon.

South Dakota: Cheyenne River, $92,000; Pine Ridge, $7,000; Lower Brule, $2,000; in all, $101,000; South Dakota.

Utah: Uintah and Ouray, $15,200: *Provided*, That not to exceed $500 of this amount may be used to pay part of the expenses of the State Experimental Farm, located near Fort Duchesne, Utah, within the Uintah and Ouray Indian Reservation; Utah. *Proviso.* Sum for State Experimental Farm.

Washington: Colville, $33,400; Neah Bay, $5,500; Puyallup, $4,000, of which $1,000 shall be available for the upkeep of the Puyallup Indian cemetery; Spokane, $19,000; Taholah (Quinaielt), $20,000, of which $10,000 shall be available only for construction of a water-supply system for the Quinaielt Indians and purchase and installation of an electric light plant at Taholah; Yakima, $38,000; in all, $119,900; Washington.

Wisconsin: Lac du Flambeau, $1,200; Keshena, $57,000, including not to exceed $7,000 for two employees' cottages and $5,000 for monthly allowances, under such rules and regulations as the Secretary of the Interior may prescribe, to such old and indigent members of the Menominee Tribe as it is impracticable to place in the home for old and indigent Menominee Indians, and who reside with relatives or friends; in all, $58,200; Wisconsin.

Wyoming: Shoshone, $73,000; Wyoming.

In all, not to exceed $1,297,538, 46.

For general support, administration of property, and promotion of self-support among the Chippewa Indians in the State of Minnesota, $90,000, to be paid from the principal sum on deposit to the credit of said Indians, arising under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota," approved January 14, 1889 (25 Stat., p. 645), to be used exclusively for the purposes following: Not exceeding $50,000 of this amount may be expended for general agency purposes; not exceeding $40,000 may be expended in aiding indigent Chippewa Indians upon the condition that any funds used in support of a member of the tribe shall be reimbursed out of and become a lien against any individual property of which such member may now or hereafter become seized or possessed, the two preceding requirements not to apply to any old, infirm, or indigent Indian, in the discretion of the Secretary of the Interior: *Provided*, That not to exceed $10,000 of the principal funds on deposit to the credit of the Chippewa Indians of Minnesota shall be immediately available for the

Chippewas in Minnesota. General support, administering property, etc., from trust fund. 25 Stat., 645, vol. 1, 301.

Purposes specified.

Aiding indigent Indians.

Proviso. Amount immediately available.

purpose of aiding indigent Chippewa Indians upon the conditions herein named.

Choctaws and Chickasaws.
Per capita payment expenses.

For the expenses of per capita payments to the enrolled members of the Choctaw and Chickasaw Tribes of Indians, $5,000, to be paid from the funds held by the United States in trust for said Indians.

Five Civilized Tribes.
Apportionment of allotment for the fiscal year.
Specified salaries.

For the current fiscal year, money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, salaries and contingent expenses of the governor of the Chickasaw Nation and chief of the Choctaw Nation and one mining trustee for the Choctaw and Chickasaw Nations at salaries at the rate heretofore paid for the said governor and said chief and $4,000 for the said mining trustee and $1,000 for his expenses, and the chief of the Creek Nation at a salary not to exceed $600 per annum, and one attorney each for the Choctaw and Chickasaw Tribes employed under contract approved by the President under existing law: *Provided*, That the expenses of any of the above-named officials, except the mining trustee, shall not exceed $2,500 per annum each for chiefs and governor except in the case of tribal attorneys, whose expenses shall be determined and limited by the Commissioner of Indian Affairs, not to exceed $2,500 each.

Proviso.
Pay restriction.

Osages, Okla.
Agency expenses, from trust funds.

For the support of the Osage Agency, including repairs to buildings, pay of tribal officers, the tribal attorney and his stenographer, one special attorney in tax and other matters, and employees of said agency, $190,000, to be paid from the funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma.

Oil and gas production.
Expenses from tribal trust funds.

For necessary expenses in connection with oil and gas production on the Osage Reservation, including salaries of employees, rent of quarters for employees, traveling expenses, printing, telegraphing, and telephoning, and purchase, repair, and operation of automobiles, $74,000, to be paid from the funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma.

Visits of Tribal Council, etc., to Washington, D. C.

For expenses incurred in connection with visits to Washington, District of Columbia, by the Osage Tribal Council and other members of said tribe, when duly authorized or approved by the Secretary of the Interior, $10,000, to be paid from the funds held by the United States in trust for the Osage Tribe.

Utes, Confederated Bands.
Distribution to, from tribal principal fund.
Self-support and property administration, from accrued interest.
37 Stat., 934, vol. 3, 559.

The sum of $108,000 is hereby appropriated out of the principal funds to the credit of the Confederated Bands of Ute Indians, the sum of $48,000 of said amount for the benefit of the Ute Mountain (formerly Navajo Springs) Band of said Indians in Colorado, and the sum of $45,000 of said amount for the Uintah, White River, and Uncompahgre Bands of Ute Indians in Utah, and the sum of $15,000 of said amount for the Southern Ute Indians in Colorado, which sums shall be charged to said bands, and the Secretary of the Interior is also authorized to withdraw from the Treasury the accrued interest to and including June 30, 1930, on the funds of the said Confederated Bands of Ute Indians appropriated under the Act of March 4, 1913 (37 Stat., p. 934), and to expend or distribute the same for the purpose of administering the property of and promoting self-support among the said Indians, under such regulations as the Secretary of the Interior may prescribe: *Provided*, That none of the funds in this paragraph shall be expended on road construction unless, wherever practicable, preference shall be given to Indians in the employment of labor on all roads constructed from the sums herein appropriated from the funds of the Confederated Bands of Utes.

Proviso.
Indian labor on road construction.

ROADS AND BRIDGES

Roads and bridges.

For the construction and repair of roads and bridges on the Red Lake Indian Reservation, including the purchase of material, equipment, and supplies, and the employment of labor, $25,000, to be paid from the funds held by the United States in trust for the Red Lake Band of Chippewa Indians in the State of Minnesota: *Provided*, That Indian labor shall be employed as far as practicable.

Red Lake Reservation, Minn.

Proviso.
Indian labor.

For permanent approaches to the Canyon Diablo and Little Colorado River bridges at the Leupp Agency on the Navajo Reservation, Arizona, and dikes to protect the school plant from overflow, $15,000.

Leupp Agency, Ariz.
Bridges, etc.

For one-half the cost of a bridge and approaches thereto across the San Jacinto River near the Soboba Indian Reservation, California, as authorized by, and in accordance with, the Act of February 19, 1929 (45 Stat., p. 1229), $11,000.

Soboba Reservation, Calif.
Half cost of bridge across San Jacinto River, near.
45 Stat., 1229; ante, 78.

For one-half the cost of a bridge and approaches thereto, across the Moreau River at or near the White Horse subagency on the Cheyenne River Reservation, South Dakota, as authorized by, and in accordance with, the Act of March 2, 1929 (45 Stat., p. 1487), $9,000, payable from funds to the credit of the Cheyenne River Indians.

Cheyenne River Reservation, S. Dak.
Half cost of bridge across Moreau River, in.
45 Stat., 1487; ante, 90.

For one-half the cost of a bridge and approaches thereto across Cherry Creek, Cheyenne River Reservation, South Dakota, as authorized by, and in accordance with, the Act of March 2, 1929 (45 Stat., p. 1488), $9,000, payable from funds to the credit of the Cheyenne River Indians.

Half cost of bridge across Cherry Creek in the reservation.
45 Stat., 1488; ante, 91.

For the construction, repair, and maintenance of roads on Indian reservations not eligible to Government aid under the Federal Highway Act, including engineering and supervision and the purchase of material, equipment, supplies, and the employment of Indian labor, $250,000: *Provided*, That where practicable the Secretary of the Interior shall arrange with the local authorities to defray the maintenance expenses of roads constructed hereunder and to cooperate in such construction.

Constructing, etc., roads on reservations not eligible under Federal Highway Act.

Proviso.
Cooperation, etc., of local authorities.

For maintenance and repair of that portion of the Gallup-Shiprock Highway within the Navajo Reservation, New Mexico, $20,000, reimbursable as provided in the Act of June 7, 1924.

Gallup-Shiprock Highway, Ariz.
Maintenance.
43 Stat., 1163, vol. 4, 454.

ANNUITIES AND PER CAPITA PAYMENTS

Annuities, etc.

For fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831, 4 Stat., p. 442), $6,000.

Senecas, N. Y.
4 Stat., 442.

For fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), $4,500.

Six Nations, N. Y.
7 Stat., 46, vol. 2, 34.

For fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty of June 22, 1855), $3,000; for permanent annuity for support of light horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), $600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $320; in all, $10,520.

Choctaws, Okla.
7 Stat., 99, 212, 213, 236, vol. 2, 88, 192, 211, 706.
11 Stat., 614, vol. 2, 87, 191, 215, 706, 709.

Saint Croix Chippewas, Wis.
Purchase of land for.
10 Stat., 1109, vol. 2, 648.

To carry out the provisions of the Chippewa treaty of September 30, 1854 (10 Stat., p. 1109), $10,000, in part settlement of the amount, $141,000, found due and heretofore approved for the Saint Croix Chippewa Indians of Wisconsin, whose names appear on the final roll prepared by the Secretary of the Interior pursuant to Act of August 1, 1914 (38 Stat., pp. 582–605), and contained in House Document Numbered 1663, said sum of $10,000 to be expended in the purchase of land or for the benefit of said Indians by the Commissioner of Indian Affairs: *Provided*, That, in the discretion of the Commissioner of Indian Affairs, the per capita share of any of said Indians under this appropriation may be paid in cash.

38 Stat., 606, vol. 4, 32.

Proviso.
Discretionary cash payments.

Field service appropriations.
Available for supplies, travel, etc.

When, in the judgment of the Secretary of the Interior, it is necessary for accomplishment of the purposes of appropriations herein made for the Indian field service, such appropriations shall be available for purchase of ice, rubber boots for use of employees, and for travel expenses of employees on official business.

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Geological Survey.

GEOLOGICAL SURVEY

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SALARIES

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Nonmetallic mineral mining Act.
Enforcing.
38 Stat., 741.
40 Stat., 297.
41 Stat., 437, 1363.
U. S. C., pp. 963, 964, 1395, 1396.

For the enforcement of the provisions of the Acts of October 20, 1914 (U. S. C., title 48, sec. 435), October 2, 1917 (U. S. C., title 30, sec. 141), February 25, 1920 (U. S. C., title 30, sec. 181), and March 4, 1921 (U. S. C., title 48, sec. 444), and other Acts relating to the mining and recovery of minerals on Indian and public lands and naval petroleum reserves; and for every other expense incident thereto, including supplies, equipment, expenses of travel and subsistence, the construction, maintenance, and repair of necessary camp buildings and appurtenances thereto, $250,000, of which amount not to exceed $35,000 may be expended for personal services in the District of Columbia;

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National Park Service.

NATIONAL PARK SERVICE

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Glacier, Mont.

Glacier National Park, Montana: For administration, protection, and maintenance, including necessary repairs to the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary, including not exceeding $1,300 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $193,300; for construction of physical improvements, $33,700, including not exceeding $21,300 for the construction of buildings, of which not exceeding $5,500 shall be available for a residence for the assistant superintendent, $5,000 for three combination shower baths and laundries in public camp grounds, $4,900 for the completion of the warehouse at headquarters; in all, $227,000.

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Roads and trails.
Construction of, etc., in parks and monuments.

Construction, and so forth, of roads and trails: For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in national parks and monuments under the

jurisdiction of the Department of the Interior, including the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary, and the Grand Canyon Highway from the National Old Trails Highway to the south boundary of the Grand Canyon National Park as authorized by the Act approved June 5, 1924 (43 Stat., p. 423), and including that part of the Wawona Road in the Sierra National Forest between the Yosemite National Park boundary two miles north of Wawona and the park boundary near the Mariposa Grove of Big Trees, and that part of the Yakima Park Highway between the Mount Rainier National Park boundary and connecting with the Cayuse Pass State Highway, to be immediately available and remain available until expended, $5,000,000, which includes $2,500,000 the amount of the contractual authorization contained in the Act making appropriations for the Department of the Interior for the fiscal year 1930, approved March 4, 1929 (45 Stat., p. 1601): *Provided*, That not to exceed $20,000 of the amount herein appropriated may be expended for personal services in the District of Columbia during the fiscal year 1931: *Provided further*, That in addition to the amount herein appropriated the Secretary of the Interior may also approve projects, incur obligations, and enter into contracts for additional work not exceeding a total of $2,500,000 and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof and appropriations hereafter made for the construction of roads in national parks and monuments shall be considered available for the purpose of discharging the obligation so created.

Special authorizations.

43 Stat., 423.

Contractual obligations.

45 Stat., 1601; ante, 115.

Provisos.

Services in the District.

Contracts for approved projects deemed Federal obligations.

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OFFICE OF EDUCATION

Education Office.

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WORK IN ALASKA

Alaska.

Education in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for the education and support of the Eskimos, Aleuts, Indians, and other natives of Alaska, including necessary traveling expenses of pupils to and from industrial boarding schools in Alaska; erection, purchase, repair, and rental of school buildings; textbooks and industrial apparatus; pay and necessary traveling expenses of superintendents, teachers, physicians, and other employees; repair, equipment, maintenance, and operation of the United States ship Boxer; and all other necessary miscellaneous expenses which are not included under the above special heads, including $328,890 for salaries in the District of Columbia and elsewhere, $20,000 for traveling expenses, $180,500 for equipment, supplies, fuel, and light, $30,000 for repairs of buildings, $104,200 for purchase or erection of buildings, $75,000 for freight, including operation of United States ship Boxer, $9,500 for equipment and repairs to United States ship Boxer, $3,000 for rentals, and $1,600 for telephone and telegraph; total, $752,690, to be immediately available: *Provided*, That not to exceed 10 per centum of the amounts appropriated for the various items in this paragraph shall be available interchangeably for expenditures on the objects included in this paragraph, but no more than 10 per centum shall be added to any one item of appropriation except in cases of extraordinary emergency and then only upon the written order of the Secretary of the Interior: *Provided further*, That of said sum not exceeding $8,000 may be expended for personal services in the

Education of natives.

Specific allotments.

Provisos.

Interchangeable amounts.

Services in the District.

Supervision of expenses by Commissioner of Education.

District of Columbia: *Provided further*, That all expenditures of money appropriated herein for school purposes in Alaska for schools other than those for the education of white children under the jurisdiction of the governor thereof shall be under the supervision and direction of the Commissioner of Education and in conformity with such conditions, rules, and regulations as to conduct and methods of instruction and expenditures of money as may from time to time be recommended by him and approved by the Secretary of the Interior: *Provided further*, That the Secretary of the Interior is authorized to enter into contracts with duly established school boards which maintain schools in certain cities and towns to educate the children of nontax-paying natives including those of mixed native and white blood; to lease school buildings owned by the United States Government to such contracting school boards; and to pay such school boards for service rendered an amount which shall not be in excess of the cost of operating a school for natives under present appropriations in such town.

Contracts with school boards for educating native children.

Shoemaker Bay. Constructing industrial boarding school for natives at.

For the construction at Shoemaker Bay, Alaska, of the necessary buildings and physical improvements for the establishment of an industrial boarding school for natives of Alaska, $71,000; and the Secretary of the Interior is authorized to enter into contract or contracts for such construction at a cost not to exceed $171,000.

Medical and sanitary relief of natives.

Medical relief in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, with the advice and cooperation of the Public Health Service, to provide for the medical and sanitary relief of the Eskimos, Aleuts, Indians, and other natives of Alaska; erection, purchase, repair, rental, and equipment of hospital buildings; books and surgical apparatus; pay and necessary traveling expenses of physicians, nurses, and other employees, and all other necessary miscellaneous expenses which are not included under the above special heads, $268,761, to be available immediately.

Traveling expenses, etc., of new appointees allowed from appropriations.

The appropriations for education of natives of Alaska and medical relief in Alaska shall be available for the payment of traveling expenses of new appointees from Seattle, Washington, to their posts of duty in Alaska, and of traveling expenses, packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station within Alaska, under regulations to be prescribed by the Secretary of the Interior.

* * * * * * *

Field work appropriations available for work animals, vehicles, etc.

SEC. 2. Appropriations herein made for field work under the General Land Office, the Bureau of Indian Affairs, the Bureau of Reclamation, the Geological Survey, and the National Park Service shall be available for the hire, with or without personal services, of work animals and animal-drawn and motor-propelled vehicles and equipment.

Approved, May 14, 1930.

May 15, 1930.
[S. 4098.]
46 Stat., 334.

CHAP. 285.—An Act To provide funds for cooperation with the school board at Browning, Montana, in the extension of the high-school building to be available to Indian children of the Blackfeet Indian Reservation

Browning, Mont. Sum authorized for extension, etc., of public school building at.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $40,000 for the purpose of cooperating with the public-school board of district numbered 9, town of Browning and county of Glacier, Montana, for the extension and betterment of a public high-school building at Browning, Montana:

Provided, That the expenditure of any money so appropriated shall be subject to the express condition that the school maintained by the said school district in the said building shall be available to all Indian children of the Blackfeet Indian Reservation, Montana, on the same terms, except as to payment of tuition, as other children of said school district: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Provisos.
School available to Indian children of Blackfeet Reservation, Mont.

Expenditures subject to conditions prescribed by Secretary of the Interior.

Approved, May 15, 1930.

CHAP. 302.—Joint Resolution To carry out certain obligations to certain enrolled Indians under tribal agreement

May 19, 1930.
[S. J. Res. 163.]
46 Stat., 370.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That any person duly enrolled as a member of an Indian tribe who received in pursuance of a tribal treaty or agreement with the United States an allotment of land which by the terms of said treaty or agreement was exempted from taxation, and from which land the restrictions have been removed, and who was required or permitted contrary to such stipulation to pay any illegal or unauthorized Federal tax on the rents, royalties, or other gains arising from such tax-exempt lands during the period of such exemption and who would be entitled under the law and rulings of the Treasury Department in similar Indian cases to a refund of the taxes so illegally or erroneously collected but for the fact that he failed to file a claim for such refund within the time prescribed by law, shall be allowed one year after the approval of this Act within which to file such claim, and if otherwise entitled thereto he may recover such illegal taxes in the same manner and to the same extent as if such claims for refund had been theretofore duly filed as required by law, it not being the policy of the Government to invoke or plead a statute of limitations to escape the obligations of agreements solemnly entered into with its Indian wards: *Provided, however*, That in the case of the death of any such person any such illegal taxes paid by him or on his account may in like manner be claimed and recovered by the person or persons who would have received such money had it constituted a part of his estate at the time of his death.

Indian allottees.
Claims of, for refund of unlawful taxes on rents, etc., collected during exemption period, may be allowed.

Time extended for filing claims.

Proviso.
Payment of refund to estate of deceased allottee.

SEC. 2. That all Acts and parts of Acts in conflict herewith are modified for the purpose, and only for the purpose, of carrying into effect the provisions hereof.

Modification of conflicting acts.

Approved, May 19, 1930.

CHAP. 317.—An Act To eliminate certain land from the Tusayan National Forest, Arizona, as an addition to the Western Navajo Indian Reservation

May 23, 1930.
[S. 3585.]
46 Stat., 378.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described land be, and the same is hereby, eliminated from the Tusayan National Forest, Arizona, and added to and made a part of the Western Navajo Indian Reservation, subject to all valid rights and claims of individuals initiated prior to the approval of this Act: All that part of the Tusayan National Forest lying east of the Colorado River and north of the Little Colorado River, unsurveyed, but which will probably be when surveyed in townships 32, 33, 34, 35, and 36 north, ranges 5 and 6 east; all lands in township 31 north, range 6 east, which are now a part of the Tusayan National Forest; sections 1, 2, 3, 4, and 10 to 14, inclusive, east half section 23, sections 24 and 25, east half

Tusayan National Forest, Ariz.
Lands eliminated from, added to Western Navajo Indian Reservation.
Description.

section 26 and sections 35 and 36, township 30 north, range 6 east; sections 27 to 34, inclusive, township 30 north, range 7 east; sections 1, 2, and 11 to 14, inclusive, sections 23 to 26, inclusive, sections 35 and 36, township 29 north, range 6 east; sections 3 to 10, inclusive, and sections 15 to 36, inclusive, township 29 north, range 7 east; section 1 and north half section 12, township 28 north, range 6 east; sections 1 to 23, inclusive, and sections 29 to 32, inclusive, township 28 north, range 7 east; Gila and Salt River base and meridian, Arizona: *Provided*, That all unappropriated and unreserved public lands in sections 24 to 28, inclusive, and sections 33 to 36, inclusive in township 28 north, range 7 east, Gila and Salt River base and meridian, Arizona, be, and the same are hereby, added to and made a part of the Western Navajo Indian Reservation, subject to all valid rights and claims of individuals initiated prior to approval of this Act.

Proviso.
Other designated lands added.

Owners of conveyed lands to select other public lands in exchange.

SEC. 2. That upon conveyance to the United States of a good and sufficient title to any privately owned land within the areas described in this Act, the owners or their assigns thereof are hereby authorized under regulations of the Secretary of the Interior, to select at any time within fifteen years after the approval of this Act, from the surveyed, unappropriated, unreserved, nonmineral public lands of the United States, in the State of Arizona, lands approximately equal in value to the lands thus conveyed, such values to be determined by the Secretary of the Interior, and the Secretary of the Interior is hereby authorized to issue patents for the lands thus selected: *Provided*, That the lands conveyed to the United States under authority of this Act shall thereupon become a part of the Western Navajo Indian Reservation.

Patents to issue.

Proviso.
To become part of Reservation.

Public notice of exchange to be advertised.

SEC. 3. That before any exchange of lands as above provided is effected, notice of such exchange describing the lands involved therein shall be published once each week for four consecutive weeks in some newspaper of general circulation in the county or counties within which the selected lands are situated.

Arizona may select other lands in lieu of school lands within the addition.
36 Stat., 572, vol. 3, 467.

SEC. 4. That the State of Arizona shall have the right to select other public lands in lieu of sections 2, 16, 32, and 36 within said addition to the Western Navajo Indian Reservation, in the same manner as is provided in the Enabling Act of June 20, 1910 [(36 Stat. L. 557)].

Approved, May 23, 1930.

May 26, 1930.
[H. R. 9939.]
46 Stat., 385.

CHAP. 333.—An Act Authorizing the Secretary of the Interior to lease any or all of the remaining tribal lands of the Choctaw and Chickasaw Nations for oil and gas purposes, and for other purposes

Chickasaw and Choctaw Nations.
Oil and gas leases authorized of remaining tribal lands.
45 Stat., 737; ante, 55.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized in his discretion to lease for oil and gas purposes any or all of the remaining tribal lands of the Chickasaw and Choctaw Nations, including the lands lying south of the medial line of Red River to the south bank thereof, east of the ninety-eighth meridian, and down Red River to three miles below the mouth of Little River which empties itself into Red River on the north side, upon such terms and conditions, after public competitive bidding and under such rules and regulations as he may prescribe: *Provided*, That nothing herein contained shall prevent the sale of any or all of said tribal lands in accordance with provisions of existing law.

Proviso.
Other sales not prevented.

Approved, May 26, 1930.

CHAP. 343.—An Act Authorizing reconstruction and improvement of a public road in Wind River Indian Reservation, Wyoming

May 27, 1930.
[S. 320.]
46 Stat., 430.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of not more than $150,000 to pay not more than one-half the cost for the reconstruction and improvement of the road running northwest from Milford across Wind River or Shoshone Indian Reservation, through Fort Washakie to the diversion dam in Wyoming, approximately thirty miles, and lying wholly within said Indian reservation on condition that the State or county or both shall defray the remainder of the cost and agree in writing to maintain the road without expense to the Government or the Indians: *Provided*, That the work on said road shall be jointly under the supervision and direction of the Bureau of Indian Affairs and the Bureau of Public Roads and only Indian labor shall be employed except for engineering and supervision.

Wind River Reservation, Wyo.
Sum authorized for reconstruction, etc., of designated road in.

Conditional upon agreement by State, etc., to maintain road.

Proviso.
Construction.

Indian labor only to be employed.

Approved, May 27, 1930.

CHAP. 347.—An Act To authorize the erection of a marker upon the site of New Echota, capital of the Cherokee Indians prior to their removal west of the Mississippi River, to commemorate its location, and events connected with its history

May 28, 1930.
[H. R. 9444.]
46 Stat., 431.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized to erect upon some portion of the site of New Echota, last capital of the Cherokee Indians prior to their removal in 1838 west of the Mississippi River, a suitable marker commemorating said location, with adequate inscriptions relative to the principal facts of its history.

Cherokee Indians.
Marker at New Echota, commemorating its being capital of, prior to removal, authorized.

SEC. 2. The site for said marker shall consist of not more than one acre of land, which shall be selected under the direction of the Secretary of War, and shall be furnished free of cost for this purpose.

Selection of site.

SEC. 3. There is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $2,500, or so much thereof as may be necessary, to carry out the provisions of this Act.

Sum authorized.

Approved, May 28, 1930.

CHAP. 349.—An Act to amend the Act entitled "An Act to amend the Act entiled 'An Act for the retirement of employees in the classified civil service, and for other purposes,' approved May 22, 1920, and Acts in amendment thereof," approved July 3, 1926, as amended

May 29, 1930.
[S. 15.]
46 Stat., 468.

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 amend the Act entitled 'An Act for the retirement of employees in the classified civil service, and for other purposes,' approved May 22, 1920, and Acts in amendment thereof," approved July 3, 1926, be, and the same is hereby, amended as follows:

Retirement of classified civil-service employees.
41 Stat., 614.
44 Stat., 904, amended.
U. S. C., p. 71; Supp. III, p. 23.

ELIGIBILITY FOR SUPERANNUATION RETIREMENT

SEC. 1. All employees to whom this Act applies who, before its effective date, shall have attained or shall thereafter attain the age of seventy years and rendered at least fifteen years of service computed as prescribed in section 5 of this Act shall be eligible for re-

Age and service eligibility.
44 Stat., 904, amended.

Provisos.
Postal employees, laborers, and mechanics.

tirement on an annuity as provided in section 4 hereof: *Provided*, That city, rural, and village letter carriers, post office clerks, sea-post clerks, employees of the Indian Service at large excepting clerks, laborers, and mechanics generally shall, under like conditions, be eligible for retirement at sixty-five years of age and that railway postal clerks, mechanics and laborers in navy yards including leading men and quartermen but excluding master mechanics and foremen, and those employees engaged in pursuits whose occupation is hazardous or requires great physical effort, or which necessitates exposure to extreme heat or cold, and those employees whose terms of service shall include fifteen years or more of such service rendered in the Tropics, shall be eligible at sixty-two years of age; the classification of employees for the purpose of assignment to the various age groups shall be determined jointly by the Civil Service Commission and the head of the department, branch, or independent office of the Government concerned: *Provided further*, That any such employee who was employed as a mechanic for the major portion of his service, and not less than fifteen years, and was subsequent to August 20, 1920, involuntarily transferred to employment as a laborer and thereafter involuntarily discharged from the service of the United States, shall receive such annuity as he would have been entitled to, if on the day of his discharge from the service he had been retired under the provisions of this Act: *Provided further*, That any mechanic, having served thirty years, who was, through no fault of his own, transferred or reduced to a minor position, and who shall have attained, or who shall thereafter attain the age of sixty-two years, shall have his annuity computed upon his average annual basic salary, pay, or compensation for the last ten years of his service as a mechanic: *Provided further*, That the term "mechanics," as used in this Act, shall include all employees in the Government Printing Office whose duties are to supervise, perform, or assist in apprentice, helper, or journeyman work of a recognized trade or craft, as determined by the Public Printer.

Railway postal clerks, etc., hazardous pursuits, and service in the Tropics.

Mechanics involuntarily transferred as laborers since August 20, 1920.

Mechanics reduced after 30 years' service.

Government Printing Office employees included as "mechanics."

Optional retirement two years before automatic period allowed employees with thirty years' service.

All employees to whom this Act applies, who would be eligible for retirement from the service upon attaining the age of seventy years, sixty-five years, or sixty-two years, as the case may be, shall, after attaining the age of sixty-eight years, sixty-three years, and sixty years, respectively, and having rendered at least thirty years' service, computed as provided in section 5 of this Act, be eligible for retirement on an annuity as provided in section 4 of this Act. Retirement under the provisions of this paragraph shall be at the option of the employee; but if such option is not exercised prior to the date upon which the employee would otherwise be eligible for retirement from the service, the provisions of this Act with respect to automatic separation from the service shall apply.

* * * * * * *

Approved, May 29, 1930.

June 9, 1930.
[S. J. Res. 167.]
46 Stat., 531.

CHAP. 423.—Joint Resolution To clarify and amend an Act entitled "An Act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Assiniboine Indians may have against the United States, and for other purposes," approved March 2, 1927[1]

Assiniboine Indians.
Claims of, against the United States submitted to Court of Claims.
44 Stat., 1263, vol. 4, 934.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in any action pending or hereafter brought under the provisions of an Act entitled "An Act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Assiniboine

[1] 77 Ct. Cls., 347; 292 U. S., 606.

Indians may have against the United States, and for other purposes," approved March 2, 1927, jurisdiction is hereby conferred upon the courts therein named and in the manner therein defined to hear, examine, adjudicate, and render judgment for any damages resulting from the appropriation by the United States to its own use or to the use of any other Indian tribe by the treaty of October 17, 1855 (11 Stat. 657), between the Government of the United States and the Blackfeet Nation and other Indian nations therein specified, and/or the Act of Congress of April 15, 1874 (18 Stat. 28), of any land, title to the occupancy and use of which was in the said Assiniboine Indian Nation by immemorial possession and the rights or claims to which land the last paragraph of Article V of the treaty of Fort Laramie of September 17, 1851, expressly provided, the Assiniboine Nation did not abandon or prejudice; and if the said courts shall find that any such lands of the said Indians were so appropriated, they shall award damages for the land so appropriated as provided in the said Act of March 2, 1927: *Provided, however*, That if the courts shall award damages for land appropriated by the said treaty of 1855 and/or the said Act of Congress of 1874, the United States shall be allowed credit for any sum or sums paid the Assiniboine Indian Nation under the Act of Congress of May 1, 1888.

Lands appropriated for use of Government or other Indians.

11 Stat., 657, vol. 2, 736.

18 Stat., 28, vol. 1, 149.

Award of damages, if Indian lands appropriated by United States.

Proviso.
Credit allowed for payments made.

25 Stat., 114, vol. 1, 261.

Approved, June 9, 1930.

CHAP. 471.—Joint Resolution To amend a joint resolution entitled "Joint resolution giving to discharged soldiers, sailors, and marines a preferred right of homestead entry," approved February 14, 1920, as amended January 21, 1922, and as extended December 28, 1922

June 12, 1930.
[H. J. Res. 181.]
46 Stat., 580.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That a joint resolution entitled "Joint resolution giving to discharged soldiers, sailors, and marines a preferred right of homestead entry," approved February 14, 1920, as amended by a joint resolution approved January 21, 1922, and as extended by joint resolution approved December 28, 1922, be, and the same is hereby, amended to read as follows:

Public Lands.
Homestead and desert lands.

41 Stat., 434, amended, vol. 4, 1191.

42 Stat., 358, 1067, amended, vol. 4, 333.

"That hereafter, for the period of ten years following February 14, 1930, on the opening of public or Indian lands to entry, or the restoration to entry of public lands therefore withdrawn from entry, such opening or restoration shall, in the order therefor, provide for a period of not less than ninety days before the general opening of such lands to disposal in which officers, soldiers, sailors, or marines who have served in the Army or Navy of the United States in any war, military occupation, or military expedition and been honorably separated or discharged therefrom or placed in the Regular Army or Naval Reserve shall have a preferred right of entry under the homestead or desert land laws, if qualified thereunder, except as against prior existing valid settlement rights and as against preference rights conferred by existing laws or equitable claims subject to allowance and confirmation: *Provided*, That for the purposes of this resolution, the war with Spain shall be considered to include the period from April 21, 1898, to July 4, 1902: *Provided further*, That the same preference rights are hereby extended to apply to those citizens of the United States who served with the allied armies during the World War and who were honorably discharged, upon their resumption of citizenship in the United States, provided the service with the allied armies shall be similar to the service with the Army of the United States for which recognition is granted in this joint resolution: *Provided further*, That the rights and benefits conferred by this joint resolution shall not extend to any person who, having been drafted for service under the provisions of the Selec-

Honorably discharged soldiers, etc., of any war allowed advance entry.

Provisos.
Spanish - American war period.

Extended to citizens who served with allies during World War upon resuming citizenship.

Persons excluded.

tive Service Act, shall have refused to render such service or to wear the uniform of such service of the United States."

Secretary of Interior to carry out provisions of Act.

SEC. 2. That the Secretary of the Interior is hereby authorized to make any and all regulations necessary to carry into full force and effect the provisions hereof.

Approved, June 12, 1930.

June 13, 1930.
[S. 4318.]
46 Stat., 581.

CHAP. 477.—An Act To amend the Act entitled "An Act to permit taxation of lands of homestead and desert-land entrymen under the Reclamation Act," approved April 21, 1928, so as to include ceded lands under Indian irrigation projects

Reclamation Act.
45 Stat., 439, amended.
U. S. C., Supp. III, p. 429.

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 permit taxation of lands of homestead and desert-land entrymen under the Reclamation Act," approved April 21, 1928, is amended to read as follows: "That the lands of any homestead entryman under the Act of June 17, 1902, known as the Reclamation Act, or any Act amendatory thereof or supplementary thereto, and the lands of any entryman on ceded Indian lands within any Indian irrigation project, may, after satisfactory proof of residence, improvement, and cultivation, and acceptance of such proof by the General Land Office, be taxed by the State or political subdivision thereof in which such lands are located in the same manner and to the same extent as lands of a like character held under private ownership may be taxed.

Lands of homestead entrymen under, etc., subject to State, etc., taxation.

Desert-land entrymen receiving water from irrigation project, subject to tax.

"SEC. 2. The lands of any desert-land entryman located within an irrigation project constructed under the Reclamation Act and obtaining a water supply from such project, and for whose land water has been actually available for a period of four years, may likewise be taxed by the State or political subdivision thereof in which such lands are located.

Enforcement of assessed taxes.

"SEC. 3. All such taxes legally assessed shall be a lien upon the lands and may be enforced upon said lands by the sale thereof in the same manner and under the same proceeding whereby said taxes are enforced against lands held under private ownership; but the title or interest which the State or political subdivision thereof may convey by tax sale, tax deed, or as a result of any tax proceeding shall be subject to a prior lien reserved to the United States for all due and unpaid installments on the appraised purchase price of such lands and for all the unpaid charges authorized by law whether accrued or otherwise. The holder of such tax deed or tax title resulting from such tax shall be entitled to all the rights and privileges in the land of an assignee of such entryman on ceded Indian lands or of an assignee under the provisions of the Act of June 23, 1910, as amended, or of any such entries in a Federal reclamation project constructed under said Act of June 17, 1902, as supplemented or amended.

Tax sale, etc., title subject to prior lien for unpaid purchase price, etc.

Holder's rights.

36 Stat., 592.

Tax titles extinguished if land reverts to United States.

"SEC. 4. If the lands of any such entryman shall at any time revert to the United States for any reason whatever, all such liens or tax titles resulting from assessments levied after the date of this amendatory Act upon such lands in favor of the State or political subdivision thereof wherein the lands are located, shall be and shall be held to have been, thereupon extinguished; and the levying of any such assessment by such State or political subdivision shall be deemed to be an agreement on its part, in the event of such reversion, to execute and record a formal release of such lien or tax title."

State, etc., to execute release.

Approved, June 13, 1930.

CHAP. 483.—An Act To amend the Act approved February 12, 1929, authorizing the payment of interest on certain funds held in trust by the United States for Indian tribes

June 13, 1930.
[S. 4203.]
46 Stat., 584.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved February 12, 1929 (44 Stat. 1164), entitled "An Act to authorize the payment of interest on certain funds held in trust by the United States for Indian tribes," be, and the same is hereby, amended so as to read as follows:

Indian trust funds.
45 Stat., 1164, amended; ante, 77.

"That all funds with account balances exceeding $500 held in trust by the United States and carried in principal accounts on the books of the Treasury Department to the credit of Indian tribes, upon which interest is not otherwise authorized by law, shall bear simple interest at the rate of 4 per centum per annum.

Interest rate on, established.

"SEC. 2. All tribal funds arising under the Act of March 3, 1883 (22 Stat. 590), as amended by the Act of May 17, 1926 (44 Stat. 560), now included in the fund 'Indian Money, Proceeds of Labor,' shall, on and after July 1, 1930, be carried on the books of the Treasury Department in separate accounts for the respective tribes, and all such funds with account balances exceeding $500 shall bear simple interest at the rate of 4 per centum per annum from July 1, 1930.

Tribal funds designated, to be carried in separate funds.
22 Stat., 590, vol. 1, 31.
44 Stat., 560, vol. 4, 548.

Interest rate on, from July 1, 1930.

"SEC. 3. The amount held in any tribal fund account which, in the judgment of the Secretary of the Interior, is not required for the purpose for which the fund was created, shall be covered into the surplus fund of the Treasury; and so much thereof as is found to be necessary for such purpose may at any time thereafter be restored to the account on books of the Treasury without appropriation by Congress.

Excess in tribal fund account to be covered into Treasury.

Restored if necessary.

"SEC. 4. The interest accruing on Indian tribal funds under this Act shall be subject to the same disposition as prescribed by existing law for the respective principal funds."

Disposal of accrued interest.

Approved, June 13, 1930.

CHAP. 540.—An Act Ratifying and confirming the title of the State of Minnesota and its grantees to certain lands patented to it by the United States of America

June 19, 1930.
[S. 4283.]
46 Stat., 785.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the title of the State of Minnesota and its grantees and assigns be, and the same hereby is, ratified and confirmed in respect of all lands included within the following-described patents issued by the United States of America to the State of Minnesota, to wit: Patent numbered 1, dated May 14, 1877; patent numbered 3, dated August 5, 1880; patent numbered 4, dated November 20, 1880; patent numbered 5, dated April 13, 1881; patent numbered 6, dated March 27, 1885; patent numbered 7, dated March 10, 1888; patent numbered 28, dated September 20, 1893; patent numbered 41, dated March 15, 1895; patent numbered 59, dated April 30, 1896; patent numbered 65, dated September 15, 1896; patent numbered 72, dated January 18, 1897; patent numbered 73, dated February 11, 1897; patent numbered 77, dated May 6, 1897; patent numbered 82, dated October 20, 1897; patent numbered 84, dated January 15, 1898; patent numbered 92, dated February 21, 1899; patent numbered 95, dated March 15, 1899; patent numbered 106, dated October 23, 1899; patent numbered 110, dated April 20, 1900; patent numbered 126, dated August 26, 1901; patent numbered 127, dated

Minnesota.
Patents of, to certain lands, confirmed.

August 28, 1901; patent numbered 139, dated August 17, 1903; patent numbered 163, dated October 14, 1904; patent numbered 167, dated January 12, 1905; patent numbered 169, dated March 27, 1905; patent numbered 170, dated April 8, 1905; patent numbered 174, dated October 17, 1905; patent numbered 176, dated November 23, 1905.

Waiver of claim by Minnesota to lands, etc., in White Earth Indian Reservation, required.
12 Stat., 3.

SEC. 2. This Act shall take effect and be of force only when and after the State of Minnesota shall by legislative act have waived and relinquished any and all right and claim that it may by virtue of the provisions of the Act of Congress of March 12, 1860 (12 Stat. L. 3), have in or to swamp and overflowed lands lying within the White Earth Indian Reservation in Minnesota which have heretofore been conveyed by the United States by patent in trust or in fee to any Indian whether of full blood or of mixed blood.

Approved, June 19, 1930.

June 19, 1930.
[S. 4050.]
46 Stat., 787.

CHAP. 544.—An Act To confer full rights of citizenship upon the Cherokee Indians resident in the State of North Carolina, and for other purposes

Cherokee Indians, N. C.
Citizenship, status of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all noncitizen Cherokee Indians born within the territorial limits of the United States and resident in the State of North Carolina are hereby declared to be citizens of the United States and entitled to all the rights, privileges, and immunities belonging to such citizens, including the right of franchise, provided they can meet and conform to the educational and other tests imposed upon voters of the State of North Carolina, as a condition precedent to the exercise of such right of franchise. All Acts or parts of Acts of Congress inconsistent herewith are hereby repealed. Nothing contained in this Act shall in any manner impair or otherwise affect the right of any Indian to tribal or other property.

Inconsistent laws repealed.
Right to tribal, etc., property unaffected.

Approved, June 19, 1930.

June 19, 1930.
[S. 4140.]
46 Stat., 788.

CHAP. 545.—An Act Providing for the sale of the remainder of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma, and for other purposes

Choctaw and Chickasaw lands, Okla.
Remainder of coal and asphalt deposits in, to be sold.

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 hereby authorized to sell the remainder of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma, and belonging to said Indian nations, the sales to be made under such rules, regulations, terms, and conditions as the Secretary of the Interior may prescribe not inconsistent with this Act.

Sale at auction at not less than appraised value.
41 Stat., 1107, vol. 4, 287.

SEC. 2. That said coal and asphalt deposits shall be offered for sale in tracts to conform to the descriptions of the legal subdivisions heretofore designated by the Secretary of the Interior, and except as otherwise herein provided the sales of the tracts shall be at public auction, after due advertisement, to the highest bidder at not less than the appraised value heretofore fixed by the Secretary of the Interior under the provisions of the Act of Congress approved February 22, 1921 (41 Stat. 1107): *Provided, however*, That in the discretion of the Secretary of the Interior, the tracts may be offered together as a whole and sold to the highest bidder for the aggregate at not less than the total appraised value, or any two or more of the tracts may be offered together and sold to the highest bidder for the block at not less than

Provisos.
Offerings as a whole, or in tracts.

the aggregate appraised value of the tracts constituting such block: *And provided further*, That no limitation shall be placed upon the number of tracts any person, company, or corporation may acquire hereunder: *And provided further*, That in the event any sale of any tract or tracts of coal and asphalt deposits made hereunder or under the Act of February 8, 1918 (40 Stat. L. 433), or under the Act of February 22, 1921 (41 Stat. L. 1107), be canceled by the Secretary of the Interior and all rights of the purchaser at such sale be declared forfeited as to said tracts, such tracts may again be offered and sold by the Secretary of the Interior as provided herein until all such tracts finally shall have passed into private ownership.

No limitation on number of tracts acquired by any person, etc.

Resale of forfeited tracts.

40 Stat., 433, vol. 4, 143.

41 Stat., 1107, vol. 4, 287.

SEC. 3. That where any tract of said coal and asphalt deposits has been heretofore or may be offered hereafter for sale at two or more public auctions after due advertisement and no sale thereof was made, the Secretary of the Interior may, in his discretion and under such rules and regulations and on such terms and conditions as he may prescribe, sell such tract at either public auction or by private sale at not less than the appraised value: *Provided, however*, That the Secretary of the Interior may, in cases where the tracts remain unsold and the facts are found to justify, cause reappraisements to be made of such tracts and reoffer and sell such tracts either at public auction or private sale at not less than the reappraised value.

Final sale of undisposed tracts.

Reappraisements, if facts justify.

SEC. 4. That when the full purchase price for any property sold hereunder is paid, the principal chief of the Choctaw Nation and the Governor of the Chickasaw Nation shall join in executing to the purchaser an appropriate patent conveying to the purchaser the property so sold, said patent to be subject to approval of the Secretary of the Interior.

Patents to issue, upon payment of full purchase price.

SEC. 5. That in cases where tracts of the coal and asphalt deposits belonging to the Choctaw and Chickasaw Nations have been sold subsequent to June 30, 1925, and prior hereto, under and in accordance with, or purporting to be under and in accordance with, the Act of February 8, 1918 (40 Stat. L. 433), and the Act of February 22, 1921 (41 Stat. L. 1107), and said sales have been approved by the Secretary of the Interior and the purchaser has paid or shall pay the full purchase price, the patents executed by the principal chief of the Choctaw Nation and governor of the Chickasaw Nation and approved by the Secretary of the Interior, conveying to the purchasers the tracts purchased and paid for by said purchasers, are hereby confirmed, approved, and declared valid.

Patents issued, prior hereto, confirmed, etc., if purchase price paid, etc.

40 Stat., 433, vol. 4, 143; 41 Stat., 1107, vol. 4, 287.

Approved, June 19, 1930.

CHAP. 564.—An Act Authorizing an appropriation for payment of claims of the Sisseton and Wahpeton Bands of Sioux Indians

June 21, 1930.
[S. 1372.]
46 Stat., 793.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an appropriation of $300,000 be, and the same is hereby, authorized to be paid out of any money in the Treasury not otherwise appropriated, the same to be in full settlement of all claims of the Sisseton and Wahpeton Bands of Sioux Indians on account of claims asserted by them and arising and growing out of the Treaty of September 20, 1872 (Kappler's Indian Laws and Treaties, 2nd Edition Vol. 2, page 1057): *Provided*, That out of said amount there shall be paid to the attorneys prosecuting said claims, as attorneys' fees, and to Joseph R. Brown and Ignatius Court, as representatives of said Indian Tribes, such

Sioux Indians.
Sum authorized in settlement of claims of, arising from treaty of September 20, 1872.

Proviso.
Limitation on amount of attorneys', etc., fees, for prosecuting claims.

sums as to the Secretary of the Interior may appear just and equitable for services rendered in the prosecution of the claims of said Indian Tribes under said treaty, not exceeding in all 10 per centum of the amount hereby appropriated: *Provided further*, That before the Secretary of the Interior disburses any part of the appropriation herein authorized except as to compensation to attorneys, agent or agents, he shall first investigate and determine whether any Indians other than those listed on the rolls as members of the Sisseton and Wahpeton Bands of Sioux are members of the same and as such have any right to share in such appropriation and in the event he shall so determine such other Indians shall be included within the Sisseton and Wahpeton Bands of Sioux for the purpose of the distribution of the fund herein provided for.

Indians entitled to benefit herein.

Sum, less fees, to be covered into Treasury as credit to Indians.

Interest rate.

The proceeds of the amount hereby authorized to be appropriated, less attorney's fees and any amount that may be paid to said Joseph R. Brown and Ignatius Court, shall be deposited in the Treasury of the United States to the credit of said Indians and shall draw interest at the rate of 4 per centum per annum from the date of the approval of this Act and shall be subject to appropriation by Congress for the use and benefit of said Indians.

Approved, June 21, 1930.

[For Act approved June 24, 1930, see Post, 633.]

June 27, 1930.
[S. 134.]
46 Stat., 820.

CHAP. 636.—An Act Authorizing an appropriation for the purchase of land for the Indian colony near Ely, Nevada, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated the sum of $1,000 for the purchase of ten acres of land now occupied as a camp by the Indian colony near the city of Ely, Nevada, and $600 to connect the camp with the city water service by the purchase and installation of pipe and hydrants and the erection of a standpipe with necessary protective structure, the title to be held in the name of the United States Government, for the use of the Indians.

Ely, Nev.
Sums authorized for purchase of land near, used by Indians.
For erection of water works.

Title.

Approved, June 27, 1930.

June 27, 1930.
[S. 135.]
46 Stat., 820.

CHAP. 637.—An Act To provide for the payment of benefits received by the Paiute Indian Reservation lands within the Newlands irrigation project, Nevada, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $6,000, or so much thereof as may be necessary, for paying the Truckee-Carson irrigation district, Fallon, Nevada, in sixty semiannual installments, as equally as may be, the proportionate share of the benefits received by four thousand eight hundred and seventy-seven and three-tenths irrigable acres of Paiute Indian lands within the Newlands irrigation project, for necessary repairs to the Truckee Canal to restore said canal to its original capacity, said payments to be made at the same time and at the same rate per irrigable acre as that paid to the Reclamation Bureau by said district for other irrigable lands located therein.

Newlands irrigation project, Nev.

Sum authorized for payment to Truckee-Carson district in.

Rate.

Approved, June 27, 1930.

CHAP. 843.—An Act Granting the consent of Congress to the State of Montana or any political subdivisions or public agencies thereof, or any of them, to construct, maintain, and operate a free highway bridge across the Missouri River southerly from the Fort Belknap Indian Reservation at or near the point known and designated as the Power-site Crossing or at or near the point known and designated as Wilder Ferry

July 3, 1930.
[H. R. 12919.]
46 Stat., 859.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State of Montana or any political subdivisions or public agencies thereof, or any of them, to construct, maintain, and operate a free highway bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation and southerly from the Fort Belknap Indian Reservation, at or near the point known and designated as the Power-site Crossing or at or near the point known and designated as Wilder Ferry in the State of Montana, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Missouri River.
Montana, etc., may bridge, at Power-site Crossing or at Wilder Ferry, Mont.

Construction.
34 Stat., 84.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, July 3, 1930.

CHAP. 846.—An Act Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes

July 3, 1930.
[H. R. 12902.]
46 Stat., 860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes, namely:

Second Deficiency Act, 1930.

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DEPARTMENT OF THE INTERIOR

Department of the Interior.

* * * * * * *

BUREAU OF INDIAN AFFAIRS

Indian Affairs Bureau.

Salaries, Bureau of Indian Affairs: For an additional amount for the Commissioner of Indian Affairs and other personal services in the District of Columbia, fiscal year 1931, $16,600.

Salaries.

General expenses, Indian Service: For an additional amount for transportation and incidental expenses of officers and clerks of the Bureau of Indian Affairs when traveling on official duty; for telegraph and telephone toll messages on business pertaining to the Indian Service sent and received by the Bureau of Indian Affairs at Washington, and for other necessary expenses of the Indian Service for which no other appropriation is available, fiscal year 1931, $8,000.

General expenses, Indian Service.

Indian supplies: For an additional amount for purchase and transportation of Indian supplies, fiscal year 1927, $367.18.

Indian supplies.

Recording the Indian sign language: For all expenses necessary in recording the sign language of the American Indians, as author-

Recording the Indian sign language.
Ante, 138.

ized by and in accordance with the Act of April 8, 1930, fiscal year 1931, $5,000.

Probate attorneys, Five Civilized Tribes, Oklahoma.

Probate attorneys, Five Civilized Tribes, Oklahoma: For an additional amount for salaries and expenses of such attorneys and other employees as the Secretary of the Interior may, in his discretion, deem necessary in probate matters affecting restricted allottees or their heirs in the Five Civilized Tribes, and in the several tribes of the Quapaw Agency, and for the costs and other necessary expenses incident to suits instituted or conducted by such attorneys, fiscal year 1929, $224.27.

Determining heirs of deceased allottees.

Determining heirs of deceased Indian allottees: For an additional amount for the purpose of determining the heirs of deceased Indian allottees having right, title, or interest in any trust or restricted property under regulations prescribed by the Secretary of the Interior, fiscal year 1930, $4,500, reimbursable as provided by existing law.

Northern Cheyenne Reservation, Mont.

Surveys, etc.
45 Stat., 1638.
Ante, 119.

Surveys, allotments, and so forth, Northern Cheyenne Reservation, Montana: The unexpended balance of the appropriation contained in the Second Deficiency Appropriation Act, fiscal year 1929 (45 Stat., pp. 1623–1638), for expenses of compiling lists of lands, surveys, and classifications, and all other expenses connected with the allotments authorized by the Act entitled "An Act to provide for allotting in severalty lands within the Northern Cheyenne Indian Reservation, Montana, and for other purposes," approved June 3, 1926 (44 Stat., p. 690), is hereby continued available for the same purposes until June 30, 1931.

44 Stat., 690, vol. 4, 555.
Unexpended balance available.

Custer Battle Field National Cemetery.
Compensation to Crow Indians for.

Ante, 140.

Compensation to Crow Indians for Custer Battle Field National Cemetery: For compensation to the Crow Tribe of Indians for the Custer Battle Field National Cemetery, Montana, as authorized by, and to be expended in accordance with, the Act of April 15, 1930, fiscal years 1930 and 1931, $3,045.

Sioux Indians.
Payment to Sisseton and Wahpeton Bands of.
Ante, 179.

Payment of claims of the Sisseton and Wahpeton Bands of Sioux Indians: For payment of claims of the Sisseton and Wahpeton Bands of Sioux Indians as authorized by, and in accordance with, the terms and conditions of the Act of June 21, 1930, fiscal year 1931, $300,000.

Shoshone Reservation, Wyo.
For purchase of land addition to Hot Springs Reserve.
Ante, 142.

Hot Springs Reserve, Shoshone Reservation, Wyoming: For the purchase of land for addition to the Hot Springs Reserve, Shoshone or Wind River Reservation, Wyoming, as authorized by and in accordance with the Act of April 18, 1930, fiscal year 1931, $500, payable from funds on deposit to the credit of the Shoshone or Wind River Indians.

Pima Indian lands, Arizona.
Maintenance, etc., irrigation system.

Irrigation system, Pima Indian lands, Arizona: For an additional amount for the maintenance and operation of the pumping plants and canal systems on the Gila River Indian Reservation, Arizona, fiscal year 1925, $506.08, reimbursable.

Yakima Reservation, Wash.
Fish ladder construction, Wapato irrigation project.

Construction of fish ladder, Wapato irrigation project, Yakima Reservation, Washington (reimbursable): For construction, in cooperation with the Department of Commerce, of a fish ladder and power transmission line to conserve the fish life, Wapato irrigation project, Yakima Reservation, Washington, reimbursable under such rules and regulations as the Secretary of the Interior may prescribe, fiscal year 1931, $5,000.

Education.
Unexpended balance of "Industry among Indians," appropriation available.
Ante, 156.

Education: The appropriation "Industry Among Indians" for the fiscal year 1931, and the appropriations from Indian tribal funds for industrial assistance during the fiscal year 1930, the unexpended balances of which were reappropriated by the Act of May 14, 1930, for the same purposes during the fiscal year 1931, are hereby made available for making advances to worthy Indian youths to enable them to take

educational courses, including special courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, advances so made to be reimbursed, under such rules and regulations as the Secretary of the Interior may prescribe, in not to exceed eight years.

Theodore Roosevelt Indian School, Fort Apache, Arizona: For dormitory and equipment, fiscal years 1930 and 1931, $100,000.

Theodore Roosevelt Indian School, Fort Apache, Ariz.

High-school building, Browning, Montana: For cooperation with the school board at Browning, Montana, in the extension and betterment of the public high-school building at Browning, Montana, on the Blackfeet Indian Reservation, under authorization of the Act of May 15, 1930, fiscal year 1931, $25,000.

Browning, Mont. High-school building. Ante, 170.

Consolidated day school, Turtle Mountain Reservation, North Dakota: The unexpended balance of the appropriation of $125,000 contained in the Second Deficiency Appropriation Act, fiscal year 1929 (45 Stat., p. 1640), for the construction and equipment of a consolidated day school at Belcourt, within the Turtle Mountain Indian Reservation, North Dakota, is hereby continued available until June 30, 1931: *Provided*, That such school shall be open for attendance by white children and by restricted or nonrestricted Indian children resident within said reservation if and when the State tuition fund and the county tuition fund, which would otherwise be paid to school districts in said reservation, if functioning, shall be paid to the United States to be used to supplement Government appropriations for the maintenance and operation of said consolidated school and for the payment of tuition of any white and Indian children, restricted or unrestricted, residing within said reservation, in any high school approved by the Superintendent of the Turtle Mountain Agency.

Turtle Mountain Reservation, N. Dak. Unexpended balance, for school at Belcourt, available. 45 Stat., 1640. Ante, 121.

Proviso. Tuition fund.

Conservation of health among Indians: For an additional amount for the construction and equipment, including quarters for personnel of the San Xavier Sanatorium, Arizona; Pipestone Hospital, Minnesota; Omaha and Winnebago Hospital, Nebraska; Walker River Hospital, Nevada; Seger Hospital, Oklahoma; and Tomah Hospital Wisconsin, fiscal year 1931, $250,000.

Conservation of health. Construction, etc., of hospitals, etc.

For an additional amount for a central heating plant at the Tacoma hospital, Washington, fiscal year 1931, $38,000.

Tacoma, Wash. Heating plant.

Kiowa Indian Hospital, Oklahoma: The appropriation of $91,000 contained in the second deficiency appropriation Act, fiscal year 1929, for construction and other purposes at the Kiowa Indian Hospital, Oklahoma, is hereby continued available until June 30, 1931.

Kiowa Hospital, Okla. Unexpended balance available. 45 Stat., 1641. Ante, 122.

Expenses of tribal council, Tongue River Indians, Montana: The unexpended balance of the appropriation contained in the Interior Department appropriation Act for the fiscal year 1929 for expenses of the tribal council of the Tongue River Indians, Montana, and of delegates of the council to the city of Washington on tribal business is hereby made available for the same purposes until June 30, 1931.

Tongue River Indians, Mont. Expenses of tribal council.

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AUDITED CLAIMS

Audited claims.

SEC. 2. That for the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1927 and prior years, unless otherwise stated, and which have been certified to Congress under

Payment of additional.

18 Stat., 110. U. S. C., p. 1022.

23 Stat., 254. U. S. C., p. 43.

section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in House Document Numbered 427, Seventy-first Congress, there is appropriated as follows:

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Interior Department.

DEPARTMENT OF THE INTERIOR

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For Indian school transportation, $3.69.

For purchase and transportation of Indian supplies, $12.72.

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Audited claims.

AUDITED CLAIMS

Payment of additional.

SEC. 3. That for the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent being for the service of the fiscal year 1927 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in Senate Document Numbered 170, Seventy-first Congress, there is appropriated as follows:

18 Stat., 110. U. S. C., p. 1022.

23 Stat., 254. U. S. C., p. 43.

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Interior Department.

DEPARTMENT OF THE INTERIOR

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For expenses, sale of timber (reimbursable), $53.60.

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Approved, July 3, 1930.

PRIVATE ACTS OF THE SEVENTY-FIRST CONGRESS, SECOND SESSION, 1929–1930

April 8, 1930. [H. R. 563.]

46 Stat. 1633.

CHAP. 124.—An Act For the relief of Frank Yarlott

Frank Yarlott, Crow allottee. Issue of homestead patent to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to issue a patent in fee to Frank Yarlott, Crow allottee numbered 1695, for land allotted to him under the provisions of the Act of June 4, 1920 (Forty-first Statutes at Large, page 751), and designated as a homestead, except as to the northwest quarter of section 32, township 7 south, range 38 east, Montana meridian, Montana, which one hundred and sixty acres shall remain inalienable in accordance with section 13 of said Act of June 4, 1920, cited.

41 Stat., 751, vol. 4, 271.

Inalienable. 41 Stat., 756, vol. 4, 276.

Approved, April 8, 1930.

April 12, 1930. [H. R. 564.]

46 Stat., 1634.

CHAP. 144.—An Act For the relief of Josephine Laforge (Sage Woman)

Josephine Laforge, Crow allottee. Land patent in fee granted to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to issue a patent in fee to Josephine Laforge (Sage Woman), Crow allottee numbered 1254, for land allotted to her under the provisions of the Act of June 4, 1920 (Forty-first Statutes at Large, page 751), and designated as homestead.

41 Stat., 751, vol. 4, 271.

Approved, April 12, 1930.

CHAP. 145.—An Act For the relief of Clarence L. Stevens

April 12, 1930.
[H. R. 565.]
46 Stat., 1634.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to issue a patent in fee to Clarence L. Stevens, Crow allottee numbered 1259, for land allotted to him under the provisions of the Act of June 4, 1920 (Forty-first Statutes at Large, page 751), and designated as homestead.

Clarence L. Stevens, Crow allottee.
Land patent in fee granted to.

41 Stat., 751, vol. 4, 271.

Approved, April 12, 1930.

CHAP. 146.—An Act For the relief of Carl Stanley Sloan, minor Flathead allottee

April 12, 1930.
[H. R. 7855]
46 Stat., 1634.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to sell and convey under such terms and conditions as he may prescribe, the homestead allotment of Carl Stanley Sloan, minor Flathead allottee numbered 3265, described as the northeast quarter northeast quarter section 27, township 21 north, range 21 west, Montana meridian, Montana, containing forty acres, allotted to him under the provisions of the Act of Congress approved February 25, 1920 (Forty-first Statutes at Large, page 452).

Carl Stanley Sloan, Flathead allottee.
Homestead allotment of, may be sold.

41 Stat., 452, vol. 4, 262.

Approved, April 12, 1930.

CHAP. 388.—An Act Authorizing the Secretary of the Treasury to pay to Eva Broderick for the hire of an automobile by agents of Indian Service

June 2, 1930.
[H. R. 666.]
46 Stat., 1854.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $91 to Eva Broderick, in full and final settlement for the use of her automobile, at the rate of 7 cents a mile for one thousand three hundred miles, by the doctor at Mission Agency in California during the fiscal year 1928 for use in making calls upon sick Indians, such services having been furnished with the knowledge and approval of the superintendent in charge of the said agency.

Eva Broderick.
Payment to.

Approved, June 2, 1930.

CHAP. 429.—An Act Authorizing the payment of grazing fees to E. P. McManigal

June 9, 1930.
[H. R. 10117.]
46 Stat., 1858.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to E. P. McManigal, of Saint Charles, South Dakota, the sum of $390 as settlement in full of all amounts due him for the pasturing of beef cattle sent out by the Rosebud (South Dakota) Indian Agency for issue to the Indians of the Ponca district during the years 1909 to 1914, inclusive.

E. P. McManigal.
Payment to, for grazing fees.

Approved, June 9, 1930.

CHAP. 548.—An Act For the relief of Hannah Odekirk

June 19, 1930.
[H. R. 7299.]
46 Stat., 1909.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to issue a patent under the homestead entry of Heber Odekirk to his widow

Hannah Odekirk.
Homestead patent to.

Hannah Odekirk, for the southeast quarter section 26, township 2 south, range 2 west, Uintah special meridian, Utah: *Provided, however*, That in addition to the usual fees and commissions payable under existing laws said Hannah Odekirk shall pay the sum of $1.25 per acre for the land so entered, which latter sum shall be deposited in the Treasury of the United States and disposed of in the same manner as other proceeds derived from the sale of lands within the former Uintah Indian Reservation, Utah.

Proviso.
Payment required.

Approved, June 19, 1930.

June 26, 1930.
[S. 3665.]
46 Stat., 1917.

CHAP. 627.—An Act For the relief of Vida T. Layman

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed to adjust and settle the claim of Vida T. Layman for traveling expenses incurred by her in going from Arlington, Kansas, to Southern Navajo Indian Agency, Arizona, and return in connection with her appointment as a teacher at the Indian Agency, which was not consummated, and to allow in full and final settlement of said claim an amount not in excess of $66.01. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $66.01 for the payment of such claim.

Vida T. Layman.
Payment to, for traveling expenses.

Appropriation.

Approved, June 26, 1930.

June 27, 1930.
[H. R. 11477.]
46 Stat., 1933.

CHAP. 689.—An Act For the relief of Clifford J. Turner

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of April 12, 1928 (45 Stat. L. 1720), validating homestead entry, Crookston 018072, now Cass Lake 013632, made by Clifford J. Turner, August 31, 1923, upon payment of the appraised price of the timber thereon, be, and the same is hereby, amended so as to validate the said entry upon payment by the entryman of the sum of $242.74 for the timber on the land described in said Act, which amount shall be placed to the credit of the Chippewa Indians of Minnesota, and the Secretary of the Treasury is hereby authorized to transfer to the credit of said Chippewa Indians of Minnesota the sum of $184.48, representing the difference between the original appraised value and the actual amount paid by the entryman.

Clifford J. Turner.
Condition imposed on validating homestead entry of, modified.
45 Stat., 1720, amended.

Approved, June 27, 1930.

June 28, 1930.
[H. R. 1717.]
46 Stat., 1943.

CHAP. 728.—An Act For the relief of F. G. Baum

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to F. G. Baum, of San Francisco, California, the following sums as refund for moneys deposited for the Department of Agriculture, namely: $281.25 deposited August 15, 1916; $79.37 deposited January 2, 1917, and the following sum out of "Indian moneys, proceeds of labor, Fort Apache Indians", as refund for money deposited for the Interior Department, August 15, 1916, $93.75, when he made application for water power permit within the Apache National Forest and the Fort Apache Indian Reservation.

F. G. Baum.
Refunds to.

Approved, June 28, 1930.

SENATE RESOLUTION OF THE SEVENTY-FIRST CONGRESS, SECOND SESSION, 1930

May 29, 1930.
[S. Res. 260.]

Resolved, That the Secretary of the Senate is hereby authorized and directed to pay, from the contingent fund of the Senate, to Charles J. Kappler the sum of $2,000 for the work of compiling, annotating, and indexing the fourth volume of Indian Laws and Treaties (Senate Document Numbered 53, Seventieth Congress), same having been authorized by Senate resolution of February 22, 1926.

PUBLIC ACTS OF THE SEVENTY-FIRST CONGRESS, THIRD SESSION, 1930–1931

CHAP. 19.—An Act Making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment

December 20, 1930.
[H. R. 14804.]
46 Stat., 1030.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of providing for emergency construction on certain public works during the remainder of the fiscal year 1931 with a view to increasing employment, namely.

Emergency construction appropriations, fiscal year 1931.

* * * * * * *

SPECIAL ROAD ITEMS

Special Road Items.

National Forest Highways: For the construction and improvement of highways within the boundaries of the national forests, fiscal year 1931, $3,000,000.

Highways improvements.

Roads on Unappropriated or Unreserved Public Lands, Nontaxable Indian Lands, and so forth: For the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations, under the provisions of the Act entitled "An Act To amend the Act entitled 'An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes,' approved July 11, 1916, as amended and supplemented, and for other purposes," approved June 24, 1930 (46 Stat., p. 805), fiscal year 1931, $3,000,000.

Indian lands.
Cooperative road construction through unappropriated, etc., other than forest reserves.

46 Stat., 805.
Post, 633.

Federal-Aid Highway System: For apportionment to the several States under the provisions of the Federal Highway Act, as amended, as a temporary advance of funds to meet the provisions of such Act as to State funds required on Federal-aid projects, $80,000,000: *Provided*, That the sums so advanced shall be reimbursed to the Federal Government over a period of five years, commencing with the fiscal year 1933, by making deductions from regular apportionments made from future authorizations for carrying out the provisions of such Act as amended and supplemented: *Provided further*, That the amounts advanced in consequence hereof shall be limited in each case to the sum actually paid out by a State under such advance for work performed before September 1, 1931, for the construction of Federal-aid projects: *Provided further*, That should any State fail to claim any part of its allotment hereunder the President may reapportion such unclaimed funds to States capable of using them prior to September 1, 1931.

Federal Aid Highway Act.
Apportionment to States of temporary advances, for expenditure under.
Provisos.
Term for reimbursement.

Limited to work performed by September 1, 1931.

Disposition of unclaimed allotments.

* * * * * * *

Approved, December 20, 1930.

December 23, 1930.
[S. 2895.]
46 Stat., 1033.

CHAP. 23.—An Act Authorizing the bands or tribes of Indians known and designated as the Middle Oregon or Warm Springs Tribe of Indians of Oregon, or either of them, to submit their claims to the Court of Claims

Warm Springs Indians of Oregon.
Claims of, to be adjudicated in Court of Claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred on the Court of Claims, with the right of appeal by either party to the Supreme Court of the United States, notwithstanding the lapse of time or statutes of limitation and notwithstanding the provisions of the Act of June 6, 1894 (Twenty-eighth Statutes, page 86), to hear, determine, and adjudicate, and to render final judgment on all legal and equitable claims of whatsoever nature of the Warm Springs Tribe of Indians, or any band thereof, against the United States, arising under or growing out of the original Indian title, claim, or rights of the said tribe of Indians, or any band thereof, in connection with the Warm Springs Indian Reservation in the State of Oregon, including all claims, title, or rights growing out of or incident to the treaties of June 25, 1855, ratified by the Senate on March 8, 1859, and proclaimed by the President April 18, 1859 (Twelfth Statutes, page 963), and of November 15, 1865, ratified by the Senate on March 2, 1867, and proclaimed by the President March 28, 1867 (Fourteenth Statutes, page 751), or either of them, relating to the Warm Springs Indian Reservation in Oregon; and all claims of whatsoever nature growing out of the erroneous payment of any sum or sums of money due under the treaties of June 25, 1855 (Twelfth Statutes, page 963), and November 15, 1865 (Fourteenth Statutes, page 751), or to any misapplication or misappropriation of any such funds or moneys to purposes not contemplated by the said treaties.

28 Stat., 86, vol. 1, 511.

12 Stat., 963, vol. 2, 714; 26 Stat., 855.

14 Stat., 751, vol. 2, 908.

Time for filing petition.

SEC. 2. Any and all claims against the United States within the purview of this Act shall be forever barred unless suit or suits be instituted or petition, subject to amendment, be filed with the Court of Claims within five years of the date of this Act; and in any such suit or suits the Warm Springs Tribe of Indians of Oregon, or any band thereof, shall be party or parties plaintiff and the United States shall be the party defendant. The petition of the said Indians shall be verified by the attorney or attorneys employed to prosecute such claim or claims, under contract with the Indians, approved in accordance with existing law, upon information and belief as to the facts therein alleged and no other verification shall be necessary. Official letters, papers, documents, records, maps, historical works, and affidavits in official files, or certified copies thereof, may be used in evidence and the departments of the Government shall give access to the attorney or attorneys of the said Indians to such treaties, papers, maps, correspondence, reports, documents, or affidavits as they may require in the presentation or prosecution of any suit or suits instituted under this Act.

Parties to suit.

Verification.

Evidence.

Counterclaims authorized.

SEC. 3. In the said suit or suits the court shall also hear, examine, consider, and adjudicate any claims which the United States may have against the said Indian tribe or bands thereof, or any of them, and any payment or payments which have been made by the United States upon any such claim or claims shall not operate as an estoppel, but may be pleaded as an offset in such suit or suits, as may gratuities, if any, paid to or expended for said Indian tribe or bands or either of them.

Setoffs.

Joining of others as parties.

SEC. 4. Any band of Indians associated with the Warm Springs Tribe of Indians deemed necessary to a final determination of any suit or suits brought hereunder may be joined therein as the court may order: *Provided*, That upon final determination of the court of any such suit or suits the Court of Claims shall have jurisdiction to fix and

Proviso.

determine a reasonable fee, not to exceed 10 per centum of the amount secured, to be paid the attorney or attorneys employed as herein provided together with all necessary and proper expenses incurred in the preparation and prosecution of such suit or suits to be paid the attorney or attorneys employed herein as provided, and such fees or fees and such expense or expenses shall be included in the decree, and shall be paid out of any sum or sums adjudged to be due said tribe or bands or either of them; and the balance of such sum or sums shall be placed in the Treasury of the United States to the credit of such tribe or bands, where it shall draw interest at the rate of 4 per centum per annum, and shall be subject to appropriation by the Congress of the United States for educational ,health, industrial, and other purposes for the benefit of said Indians, including the purchase of lands and building of homes, and no part of said judgment shall be paid out in per capita payments to said Indians.[1]

Attorneys' fees to be included in court decree.

Balance to credit of Indians, for their benefit.

No per capita payments.

Approved, December 23, 1930.

CHAP. 64.—An Act Authorizing the Secretary of the Interior to acquire land and erect a monument at the site near Crookston, in Polk County, Minnesota, to commemorate the signing of a treaty on October 2, 1863, between the United States of America and the Chippewa Indians

January 31, 1931.
[H. R. 5271.]
46 Stat., 1045.

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 hereby authorized to erect a suitable monument and historical tablets on or near the site of the encampment, located on the banks of the Red Lake River at the place known as the Old Crossing, situated approximately fifteen miles northeast of Crookston, Minnesota, where, on October 2, 1863, the representatives of the two bands of the Chippewa Indians, known as the Red Lake Band and the Pembina Band, and of the United States Government, signed a treaty ceding to the United States of America the Red River Valley of the North. The title to the land deemed appropriate for the site of this monument shall be vested in the State of Minnesota and the acquisition of the site and the care of the site and monument shall be without expense to the Federal Government.

Old Crossing, Red Lake River, Minn.
Monument, etc., at, commemorating signing of Indian treaty, authorized.
13 Stat., 667; vol. 2, 853.

Land title.

No Federal expense.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $5,000, or so much thereof as may be necessary, to carry out the provisions of this Act: *Provided*, That the said monument shall be the work of an artist who is a citizen of the United States.

Amount for expenses.

Proviso.
Citizenship requirements.

Approved, January 31, 1931.

CHAP. 68.—An Act To provide an Indian village at Elko, Nevada

January 31, 1931.
[H. R. 11443.]
46 Stat., 1046.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, not to exceed the sum of $20,000 to be expended in the discretion of the Secretary of the Interior for the purchase of a village site for the Indians now living near Elko, Nevada; for the removal, repair, and enlargement of their present homes and the construction of new homes, where necessary; and for the installation of sanitary sewer and water systems for said village, including connection, if practicable, to the water system of Elko, Nevada.

Elko, Nev.
Purchase of village site for Indians at, authorized.

Sanitary, etc., provisions.

Approved, January 31, 1931.

[1] Ct. Cls. Docket No. M-112.

January 31, 1931.
[H. R. 13132.]
46 Stat., 1047.

CHAP. 70.—An Act Authorizing the appropriation of Osage funds for attorneys' fees and expenses of litigation

Osage Indians, Okla.
Attorney for, in oil, etc., suits authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Osage Tribal Council is hereby authorized to employ an attorney or attorneys, subject to the approval of the Secretary of the Interior, to represent the interests of the Osage Tribe in any suits or actions to be brought by the Osage Tribe or to defend any suit or actions to be brought by anyone against the Osage Tribe or any oil or gas or other mineral lessee in any court having jurisdiction of such suits or actions, involving the validity of that part or portion of the Acts of March 3, 1921 (41 Stat. 1249), and March 2, 1929 (45 Stat. 1478), extending the period of ownership in the Osage Tribe of the oil, gas, and mineral rights in and under the lands in Osage County belonging to the Osage Tribe; and there is hereby authorized to be appropriated from the oil and gas royalties and bonuses accruing and to accrue to the Osage Tribe of Indians not to exceed the sum of $100,000 to pay attorneys' fees and all other expenses in the prosecution or defense of said litigation. Said fund shall be disbursed by the Secretary of the Interior on bills approved by the Osage Tribal Council and the superintendent of the Osage Agency.

41 Stat., 1249, vol. 4, 816; 45 Stat., 1478.
Ante, 87.

Payment, from royalties, etc.

Disbursement.

Approved, January 31, 1931.

February 3, 1931.
[S. 872.]
46 Stat., 1060.

CHAP. 101.—An Act To amend an Act for the relief of certain tribes of Indians in Montana, Idaho, and Washington

Indians in Montana, Idaho, and Washington.
Limitation on certain attorneys' fees, land claims of, removed.
43 Stat., 22, amended, vol. 4, 402.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an Act approved March 13, 1924, for the relief of certain tribes of Indians in Montana, Idaho, and Washington (Forty-third Statutes at Large, Part I, pages 21 and 22; Public, Numbered 42, Sixty-eighth Congress, first session, chapter 54) be, and the same is hereby, amended by striking out in said Act the words, wherever they appear, "in accordance with the terms of said approved contracts"; and by striking out in said Act the words, wherever they appear, "nor exceed $25,000 for the Indians residing on each respective reservation: *Provided, however*, That said compensation shall not exceed $25,000 for the Nez Perce Nation or Tribe of Indians residing on both the Lapwai and Colville Indian Reservations, nor exceed 10 per centum of the amount of any judgments rendered in favor of said Nez Perce Nation or Tribe," and inserting in lieu thereof the words "as determined by the Court of Claims": *Provided further*, That the removal of the limitation on the attorneys' fees herein contained shall apply to the Nez Perces only when they shall have given their formal consent thereto.[1]

Provisos.
Maximum fees, designated Nez Perces.

Findings of Court of Claims.

Applicable to Nez Perces only with their consent.

Approved, February 3, 1931.

February 3, 1931.
[S. 5295.]
46 Stat., 1060.

CHAP. 102.—An Act Authorizing an additional per capita payment to the Shoshone and Arapahoe Indians

Shoshone and Arapahoe Indians, Wyoming.
Additional per capita payment to, from tribal funds.
39 Stat., 519, vol. 4, 93.

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, in his discretion and under such rules and regulations as he may prescribe, to make an additional per capita payment of $15 to the Shoshone and Arapahoe Indians in the State of Wyoming, from their tribal funds deposited in the United States Treasury under the Act of August 21, 1916.

Approved, February 3, 1931.

[1] Ct. Cls. Docket, No. L-23.

CHAP. 104.—An Act Authorizing the construction of the Michaud division of the Fort Hall Indian irrigation project, Idaho, an appropriation therefor, and the completion of the project, and for other purposes

February 4, 1931.
[S. 3938]
46 Stat., 1061.

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 hereby authorized to extend the Fort Hall Indian irrigation system in Idaho over an area approximating thirty thousand acres of Indian land in the Michaud division of the Fort Hall Indian Reservation and to complete the irrigation system of that reservation by the enlargement, straightening, and improving of the stream channels, including the Blackfoot River, and to complete necessary storage facilities to make possible the delivery of an adequate water supply to the sixty thousand acres of land already provided with distributary system in the existing Fort Hall and Gibson divisions of the irrigation project and to the thirty thousand acres of the Michaud division of that project, as provided for in a report of November 12, 1929, to the Commissioner of Indian Affairs, prepared in pursuance to an Act approved March 28, 1928, the total cost of the work herein authorized to be reimbursed as hereinafter provided.[1]

Fort Hall Indian Reservation, Idaho.
Completion of irrigation project.
Lands in Michaud division added.

Adjustment of stream channels.
Storage facilities for adequate water supply.

45 Stat., 377, ante, 38.
Reimbursement of cost.

SEC. 2. The Michaud division shall bear its equitable share of the cost of the present existing works and for the development of that part of the water supply that will be used on the lands of the Michaud division. Of the cost of the existing system $362,500 is hereby allocated to the Michaud division, as provided in section 3 hereof in consideration of the share of the developed water supply hereby allocated to that division and of its share of the existing works. The said $362,500 is hereby authorized to be used in completing the distributary system of the Fort Hall and Gibson divisions, including the rebuilding of the Tyhee siphon; the completion of storage facilities, and the enlargement and straightening of the Blackfoot River Channel, and including payment of damages for the benefit of the entire irrigation project.

Michaud division to bear share of cost.

Amount allocated.

Construction authorized.

SEC. 3. The water supply available shall be divided between the Fort Hall and Gibson divisions of the existing project and the Michaud division as follows: Fort Hall and Gibson divisions two-thirds, and the Michaud division one-third: *Provided*, That if at any time there should occur a deficiency in the water supply available, the lands of the Fort Hall and Gibson divisions shall have a prior right over the lands of the Michaud division to the use of sufficient water to supply said lands of those divisions with three acre-feet of water per acre per season delivered to the land actually utilized, or so much thereof as may be necessary for proper and beneficial irrigation; and in any case, as between the Indian-owned lands and the white-owned lands of the Michaud division of the project as of the date of the passage of this Act, such lands in Indian ownership shall have a water right prior to the right of the white-owned land which shall entitle such Indian lands to three acre-feet of water per acre per season, or so much thereof as may be available or as may be necessary for efficient and beneficial irrigation.

Division of water.

Proviso.
Priority of water rights.

Preference to Indians given in Michaud division.

SEC. 4. For each Indian, now owning land allotted as grazing or agricultural under the Michaud Division, who has no irrigable agricultural allotment with an adequate water supply elsewhere within the Fort Hall Indian Reservation, there shall be reserved by the Secretary of the Interior as a homestead from such grazing or agricultural allotment under the Michauld Division a tract of twenty acres on which the collection of construction charges shall be deferred so

Allotments of homesteads to certain Indians.

Construction charges on, deferred while under Indian ownership.

[1] 53 I. D. D., 399.

long as said tract remains in Indian ownership: *Provided*, That no more than one such tract of twenty acres in one ownership shall be so exempted from payment of construction charges. The construction charges on the remaining area of the Michaud Division shall be reimbursed to the United States in not more than forty years as may be prescribed by the Secretary of the Interior, it being within his discretion to require no payments for the first three years. When any Indian owned lands under the Michaud Division shall hereafter pass into non-Indian ownership, one-fortieth of the construction charges originally due from such lands shall thereafter be reimbursed each year to the United States by such non-Indian owner, until such construction charges shall have been entirely reimbursed as to such land. There is hereby created a first lien against all lands in the said Michaud Division, which lien shall be recited in any patent or instrument issued therefor prior to the reimbursement to the United States of the total amount chargeable against such lands, which lien shall not, however, be enforced as to Indian-owned lands during the period that the title to such lands remains in such Indian ownership.

Proviso. Limitation.

Reimbursement of charges on remaining area, payable within forty years.

Payments for first three years discretionary.

Payments on lands when transferred from Indian ownership.

Lien against all land in Michaud division.

Effect on Indian-owned lands.

SEC. 5. The lands in white ownership within the Michaud division of the project on the date of the passage of this Act, in addition to paying their proportionate share of the cost of the construction of the division as shall be determined by the Secretary of the Interior, shall be required to pay for water rights for their lands in addition thereto at the rate of $7.50 per acre-foot, measured at the point of diversion for the water hereby equitably allotted to such lands, payment therefor to be made to the Commissioner of Indian Affairs as a part of and on the same terms as the construction cost of the division. The money so derived shall be distributed equitably by the Secretary of the Interior to the Indians of the Fort Hall Reservation entitled thereto: *Provided*, That where any charge on behalf of construction against any Indian lands within the Fort Hall project has not yet been paid to the Government the share of this fund to which the Indian owner of such land would otherwise be entitled shall be credited upon installments yet due on behalf thereof to the United States.

Water right charges, additional to construction, assessed against lands in white ownership.

Receipts therefrom for benefit of reservation Indians.

Proviso. Unpaid construction charges on Fort Hall project.

SEC. 6. The funds hereby authorized to be appropriated shall not be expended unless and until the Secretary of the Interior shall make contracts with both the Indian and non-Indian landowners obligating said landowners to repay the cost of all the work herein authorized to be done, including a share of the cost of the benefits to the Michaud division derived from the existing works. Such agreement shall create a first lien against the lands in white ownership, which lien shall not be released until the total share of the cost of such works properly assessable against such land as herein provided shall have been reimbursed to the United States: *Provided*, That where existing irrigation ditches constructed by the Indians themselves are destroyed in the construction of the Michaud division, proper credit to the extent of the present value of the work so destroyed shall be given to the Indian owner of the land on the share of the cost of the Michaud division properly assessable against his land, and the total of all such credits shall be charged into the total cost of the Michaud division of the project.

Agreement with landowners as to repayment of costs.

To be first lien against lands in white ownership until repaid.

Proviso. Credit allowed for ditches destroyed.

SEC. 7. The said Secretary of the Interior shall by public notice consistent herewith fix the per acre charge against the irrigable land of both the Indian and white owned tracts, and the installments heretofore provided for shall be due and payable on the 1st day of December of each year until the total sum shall have been reimbursed to the United States.

Public notice of charges, etc., to be given.

SEC. 8. The water-right agreements provided for in section 6 hereof shall require the said Secretary of the Interior to refuse to deliver water to any tract of land of the Michaud division of the project if the operation and maintenance charges against such land are not paid in advance of each irrigation season, or if any installment of the construction or water-right charges remains unpaid for more than twelve months after same became due. The charges for water rights, operation, and maintenance and construction, assessed against lands in other than Indian ownership that are not paid when due shall bear interest at 6 per centum per annum from the due date until paid.

Advance payment of installments.

Interest charges.

SEC. 9. The Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this Act into full force and effect; and the money hereby authorized to be appropriated shall be available for the acquiring of the necessary right of way by purchase or judicial proceedings, and for other purposes necessary in successfully prosecuting the work to complete the project.

Rules, etc., to be prescribed.

Availability of appropriations.

SEC. 10. There is hereby authorized to be appropriated for expenditure after July 1, 1932, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $2,500,000, or so much thereof as may be required, to enable the Secretary of the Interior to carry into effect the provisions of this Act.

Sum authorized.

Approved, February 4, 1931.

CHAP. 111.—An Act Making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1931, and for prior fiscal years, to provide urgent supplemental appropriations for the fiscal year ending June 30, 1931, and for other purposes

February 6, 1931.
[H. R. 15592.]
46 Stat., 1064.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1931, and for prior fiscal years, to provide urgent supplemental appropriations for the fiscal year ending June 30, 1931, and for other purposes, namely:

First Deficiency Act, 1931.

* * * * * * *

INTERIOR DEPARTMENT

Interior Department.

BUREAU OF INDIAN AFFAIRS

Indian Affairs Bureau.

Indian school buildings: For girls' dormitory, including equipment, Pine Ridge, South Dakota, fiscal years 1931 and 1932, $125,000.

Designated Indian schools.
Pine Ridge, S. Dak.

Indian school, Flandreau, South Dakota: For improvement of water supply, fiscal years 1931 and 1932, $10,000.

Flandreau, S. Dak.

Support of Indians and administration of Indian property: For an additional amount for general support of Indians and administration of Indian property, including pay of employees, fiscal year 1931, $175,000: *Provided*, That this appropriation shall be available for the employment of Indian labor on any necessary project or activity.

General support.

Proviso.
Indian labor.

* * * * * * *

Emergency construction.

EMERGENCY CONSTRUCTION

Indian Affairs Bureau.

BUREAU OF INDIAN AFFAIRS

Southern Navajo Reservation, Ariz. Telephone lines.

Telephone line, Southern Navajo Reservation: For the purchase of supplies and equipment and the employment of labor for the construction and repair of telephone lines within the Southern Navajo subdivision of the Navajo Reservation in Arizona, $13,000.

Indian forests. Administration.

Administration of Indian Forests: For an additional amount for the preservation of timber on Indian reservations and allotments, other than the Menominee Indian Reservation in Wisconsin, the education of Indians in the proper care of forests, and the general administration of forestry work, including fire prevention, fiscal year 1931, $50,000: *Provided*, That this appropriation shall be available for the expenses of administration of Indian forest lands from which timber is sold to the extent only that proceeds from the sales of timber from such lands are insufficient for that purpose.

Proviso. Available only if proceeds from sales insufficient.

Wind River Reservation, Wyo. Road construction.

Road, Wind River Reservation, Wyoming: For one-half of the cost for reconstruction and improvement of the road running from Milford across the Wind River or Shoshone Indian Reservation, through Fort Washakie to the diversion dam in Wyoming, as authorized by and in accordance with the Act of May 27, 1930 (46 Stat., p. 430), fiscal years 1931 and 1932, $150,000.

46 Stat., 430. Ante, 173.

Nonfederal-aid highways.

Roads, Indian Reservations: For an additional amount for the construction, repair, and maintenance of roads on Indian reservations not eligible to Government aid under the Federal Highway Act, including engineering and supervision and the purchase of material, equipment, supplies, and the employment of Indian labor, fiscal year 1931, $100,000: *Provided*, That where practicable the Secretary of the Interior shall arrange with the local authorities to defray the maintenance expenses of roads constructed hereunder and to cooperate in such construction.

Proviso. Local arrangements.

* * * * * * *

Audited claims.

AUDITED CLAIMS

Payment of, certified by General Accounting Office.

SEC. 2. That for the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1928 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in House Document Numbered 694, Seventy-first Congress, there is appropriated as follows:

18 Stat., 110. U. S. C., p. 1022.

23 Stat., 254. U. S. C., p. 43.

* * * * * * *

Interior Department.

DEPARTMENT OF THE INTERIOR

* * * * * * *

For expenses, sale of timber (reimbursable), $160.80.

For Indian-school transportation, $184.91.

For Indian boarding schools, $23.16.

For relieving distress and prevention, and so forth, of diseases among Indians, $731.79.

* * * * * * *

AUDITED CLAIMS

Audited claims.

SEC. 3. That for the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1928 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in Senate Document Numbered 247, Seventy-first Congress, there is appropriated as follows:

Payment of additional.

18 Stat., 110.
U. S. C., p. 1022.

23 Stat., 254.
U. S. C., p. 43.

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DEPARTMENT OF THE INTERIOR

Interior Department.

* * * * * * *

For Indian boarding schools, $3.20.

For support of Indians in Nevada, $9.50.

For support and civilization of Indians, $13.50.

* * * * * * *

Approved, February 6, 1931.

CHAP. 117.—An Act To provide for the advance planning and regulated construction of public works, for the stabilization of industry, and for aiding in the prevention of unemployment during periods of business depression

February 10, 1931.
[S. 5776.]
46 Stat., 1084.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Employment Stabilization Act of 1931."

Employment Stabilization Act of 1931.

DEFINITIONS

Definitions.

SEC. 2. When used in this Act—

(a) The term "board" means the Federal Employment Stabilization Board established by section 3 of this Act;

"Board."

(b) The term "United States," when used in a geographical sense, includes the several States and Territories and the District of Columbia;

"United States."

(c) The term "public works emergency appropriation" means an appropriation made in pursuance of supplemental estimates transmitted to the Congress under the provisions of this Act.

"Public works emergency appropriation."

(d) The term "construction agencies" shall mean the following departments, bureaus, and independent agencies and such others as the President may designate from time to time:

"Construction agencies."

Other designations.

* * * * * * *

Of the Department of Interior, the Bureau of Indian Affairs, the Bureau of Reclamation, and the National Park Service.

Interior Department.

* * * * * * *

Approved, February 10, 1931.

February 13, 1931.
[S. 615.]
46 Stat., 1092.

CHAP. 124.—An Act Authorizing an appropriation for payment to the Uintah, White River, and Uncompahgre Bands of Ute Indians in the State of Utah for certain lands, and for other purposes

Uintah, etc., bands of Ute Indians, Utah.
Payment to, for certain lands of, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated the sum of $1,217,221.25 for payment, at the rate of $1.25 per acre, to the Uintah, White River, and Uncompahgre bands of Ute Indians in the State of Utah for nine hundred and seventy-three thousand seven hundred and seventy-seven acres of land belonging to such Indians being a part of the one million and ten thousand acres of land withdrawn from entry and sale by an Executive Order dated July 14, 1905, and included within the Uintah National Forest. Such sum shall be in full satisfaction of all claims of said Indians against the United States with respect to such lands and shall, when appropriated, be apportioned by the Secretary of the Interior among the said bands of Indians in such amounts as in his opinion the interests of said bands require: *Provided*, That as to the balance of said one million and ten thousand acres, amounting to thirty-six thousand two hundred and twenty-three acres, which has heretofore been classified as coal lands, the Secretary of the Interior shall proceed with all convenient speed to ascertain the value thereof and report his findings with respect thereto to the Congress not later than six months after the approval of this Act for such action as to the Congress shall seem appropriate. The amounts so apportioned, less the amount of the attorneys' fees determined as provided in section 2, shall be credited to such bands on the books of the Treasury Department, shall bear interest at the rate of 4 per centum per annum, and shall be disposed of in the same manner as now or hereafter provided by law for the disposition of other funds belonging to said Indians.

Apportionment to bands.

Provisos.
Value of remaining lands to be ascertained.

Prompt report thereof to Congress.

Proportionate share credited to each band.

Interest allowed.
Administration of fund.

SEC. 2. The Secretary of the Interior is authorized to determine and pay to any attorney, attorneys, or other persons who may have rendered or performed any actual service or necessarily expended any money in connection with the claim of said bands of Indians, upon which the amount herein authorized to be appropriated is based: *Provided*, That in determining the fees, as herein authorized, the Secretary of the Interior may consider all contracts or agreements entered into by said bands of Indians with any attorney, attorneys, or other persons, who may have represented them in the prosecution of their claim, and determine the compensation in each case upon a quantum meruit basis: *Provided further*, That the aggregate of fees and expenses allowed shall not exceed 5 per centum of the amount herein authorized to be appropriated, to be paid out of the appropriation when made pursuant to this Act: *And provided further*, That before any money is paid to any attorney, attorneys, or person, they shall first execute and deliver to the Secretary of the Interior a satisfaction and a discharge in writing of all claims and demands for services rendered and expenses incurred for said bands of Indians in the matter of their said claim.

Attorneys', etc., fees allowed.

Provisos.
To be determined upon a quantum meruit basis.

Limitation.

Satisfactory release required.

Approved, February 13, 1931.

CHAP. 125.—An Act To authorize the Secretary of the Interior to adjust payment of charges due on the Blackfeet Indian Irrigation Project, and for other purposes

February 13, 1931.
[S. 1533.]
46 Stat., 1093.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That where there are accumulated unpaid assessments of irrigation charges, plus accrued penalty, against trust patent or fee patent tracts of land on the Blackfeet irrigation project, Montana, and where purchasers or owners of such tracts are financially unable to pay such amounts in a lump sum, the Secretary of the Interior is hereby authorized, in his discretion, to deliver irrigation water upon the execution of a suitable contract between such purchaser or owner and the United States, said contract providing for the payment of current annual assessments and annual payments of such percentage of the accumulated assessments as are deemed equitable. The period over which the payment of the accumulated assessments shall be spread shall be left to the discretion of the Secretary of the Interior, but in no case shall the period of payment of such accumulated assessments exceed ten years: *Provided*, That upon the execution of any such contracts herein provided for any penalties or interest which may have accrued against such accumulated assessments shall be canceled, and in lieu thereof the principal amount of the indebtedness shall draw interest at the rate of 6 per centum per annum from the date of the execution of the contract.

Blackfeet Irrigation Project, Montana.
Time extended for paying assessments for construction, maintenance charges, etc.
38 Stat., 583, amended; vol. 4, 9.

Suitable contract to be executed.

Period of deferred payments.

Proviso.
Contracts to substitute for accumulated assessments, etc.

Approved, February 13, 1931.

CHAP. 162.—An Act Providing for the sale of timberland in four townships in the State of Minnesota

February 14, 1931.
[H. R. 9934.]
46 Stat., 1102.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That vacant, unappropriated, unreserved lands valued chiefly for timber in townships 158 and 159 north, range 32 west and in townships 158 and 159, range 33 west, fifth principal meridian, Beltrami County, Minnesota, in the former Red Lake Indian Reservation, may be sold to citizens of the United States, or to persons who have declared their intention to become such, under regulations to be prescribed by the Secretary of the Interior, in quantities not exceeding one hundred and sixty acres to any one person or association of persons, at the appraised value but in no case less than $2.50 per acre: *Provided*, That nothing herein contained shall defeat or impair any bona fide claim under any law of the United States, or authorize the sale of the improvements of any bona fide settler.

Red Lake Indian Reservation, Minn.
Sale of timberland in former, authorized.

Restrictions.

Proviso.
Legal claims not affected.

Approved, February 14, 1931.

CHAP. 164.—An Act Authorizing a per capita payment of $50 to the members of the Menominee Tribe of Indians of Wisconsin from funds on deposit to their credit in the Treasury of the United States

February 14, 1931.
[H. R. 11281.]
46 Stat., 1102.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to withdraw from the fund in the Treasury of the United States on deposit to the credit of

Menominee Indians of Wisconsin.
Per capita payment to, from tribal funds.

the Menominee Indians in the State of Wisconsin a sufficient sum to make therefrom a per capita payment or distribution of $50 to each of the living members on the tribal roll of the Menominee Tribe of Indians of the State of Wisconsin, under such rules and regulations as the said Secretary may prescribe.

Approved, February 14, 1931.

February 14, 1931.
[H. R. 12835]
46 Stat., 1105.

CHAP. 169.—An Act Authorizing the use of tribal funds of Indians belonging on the Klamath Reservation, Oregon, to pay expenses connected with suits pending in the Court of Claims, and for other purposes

Klamath Indian Reservation, Oreg.
Sum authorized from tribal funds for prosecuting suits pending in Court of Claims.

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 hereby authorized to pay, out of the tribal funds of the Indians belonging on the Klamath Indian Reservation in the State of Oregon, all claims for actual and necessary expenses heretofore incurred, or to be hereafter incurred, including those now pending and unpaid, in connection with the preparation and prosecution of the three suits by or on behalf of the said Indians now pending in the Court of Claims: *Provided*, That all claims for such expenses shall first have been authorized or approved by the Commissioner of Indian Affairs and the Klamath Tribal Business Committee: *Provided further*, That payments hereunder shall be limited to $3,500 and that any sums allowed and paid under this Act to the attorneys shall be reimbursable to the credit of the Klamath Tribe of Indians out of any amount or amounts which may hereafter be decreed by the Court of Claims to said attorneys for their services and expenses in connection with the Klamath Tribal claims and suits under the Act of May 26, 1920 (41 Stat. L., p. 623).[1]

Provisos.
Approval required.

Restriction on payments.
Attorneys' fees.

41 Stat., 623, vol. 4, 268.

Approved, February 14, 1931.

February 14, 1931.
[H. R. 12871.]
46 Stat., 1105.

CHAP. 170.—An Act Providing for the sale of isolated tracts in the former Crow Indian Reservation, Montana

Crow Indian Reservation, Mont.
Sale at auction of isolated tracts on former.
45 Stat. 253.
U. S. C. Supp. IV, p. 598.
26 Stat., 1040, vol. 1, 433.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of section 2455 of the Revised Statutes of the United States, as amended by the Act of March 9, 1928 (45 Stat. L. 253; U. S. C., 2d supp., title 43, ch. 28, sec. 1171), be, and the same are hereby, extended and made applicable to lands within the portion of the Crow Indian Reservation, Montana, ceded by the Act of March 3, 1891 (26 Stat. L. 1040).

Approved, February 14, 1931.

February 14, 1931.
[H. R. 13053.]
46 Stat., 1106.

CHAP. 171.—An Act To authorize the Secretary of the Interior to accept donations to or in behalf of institutions conducted for the benefit of Indians

Indians.
Acceptance of donations on behalf of institution, for benefit of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized in his discretion to accept contributions or donations of funds or other property, real, personal, or mixed, which may be tendered to, or for the benefit of,

[1] 86 Ct. Cls., 614, 760; 296 U. S., 244; 304 U. S., 117.

Federal Indian schools, hospitals, or other institutions conducted for the benefit of Indians, or for the advancement of the Indian race, and to apply or dispose of such donations for the use and benefit of such school, hospital, or other institution or for the benefit of individual Indians.

Approved, February 14, 1931.

CHAP. 173.—An Act To provide funds for cooperation with the school board at Frazer, Montana, in the construction of a high-school building to be available to Indian children of the Fort Peck Indian Reservation

February 14, 1931.
[H. R. 13293.]
46 Stat., 1106.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $25,000 for the purpose of cooperating with the public-school board of district numbered 2, town of Frazer, and county of Valley, Montana, in the construction of a public high-school building at Frazer, Montana: *Provided*, That the expenditure of any money so appropriated shall be subject to the express conditions that the school maintained by the said school district in the said building shall be available to all Indian children of the Fort Peck Indian Reservation, Montana, on the same terms, except as to payment of tuition, as other children of the said school district and that accommodations in said enlarged building to the extent of one-half its capacity shall be available for Indian children from the Fort Peck Reservation: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Frazer, Mont., school board.
Sum authorized for cooperative construction of high school.

Provisos.
Admittance of Indian children.

Condition of expenditure.

Approved, February 14, 1931.

CHAP. 174.—An Act Providing for payment of $25 to each enrolled Chippewa Indian of Minnesota from the funds standing to their credit in the Treasury of the United States

February 14, 1931.
[H. R. 13528.]
46 Stat., 1107.

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 and directed to withdraw from the Treasury so much as may be necessary of the principal fund on deposit to the credit of the Chippewa Indians in the State of Minnesota, under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota," approved January 14, 1889, as amended, and to make therefrom payment of $25 to each enrolled Chippewa Indian of Minnesota, under such regulations as such Secretary shall prescribe. No payment shall be made under this Act until the Chippewa Indians of Minnesota shall, in such manner as such Secretary shall prescribe, have accepted such payment and ratified the provisions of this Act. The money paid to the Indians under this Act shall not be subject to any lien or claim of whatever nature against any of said Indians.

Chippewa Indians, Minn.
Per capita payment to, from principal fund.

25 Stat., 645, vol. 1, 301.

46 Stat., 54; ante, 132.

Acceptance.

Not subject to any lien or claim.

Approved, February 14, 1931.

February 14, 1931.
[H. R. 13587.]
46 Stat., 1107.

CHAP. 175.—An Act To amend the Act of April 25, 1922, as amended, entitled "An Act authorizing extensions of time for the payment of purchase money due under certain homestead entries and Government-land purchases within the former Cheyenne River and Standing Rock Indian Reservations, North Dakota and South Dakota"

Cheyenne River and Standing Rock Indian Reservation, N. Dak., and S. Dak.
45 Stat., 400; ante, 39.
Further extension of time for payments on purchases allowed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any entryman or purchaser of ceded Cheyenne River and Standing Rock Indian lands who is unable to make payment as required by the Act of March 31, 1928 (45 Stat. L. 400), may obtain an extension of time for the payment due December 1, 1930, of the total amount of principal and interest required by that Act, for one year from the date when such sum became due under the provisions of said Act upon the payment of interest on the total amount involved at the rate of 5 per centum per annum: *Provided*, That such claimant for the same reason and upon making payment of interest may obtain an extension of time for one year for payment of the amount due under said Act on December 1, 1931.

Proviso.
Time further extended on paying interest.

Approved, February 14, 1931.

February 14, 1931.
[H. R. 15590.]
46 Stat., 1108.

CHAP. 177.—An Act Providing for the sale of Chippewa Indian land to the State of Minnesota

White Earth Indian Reservation, Minn.
Sale of certain land within, to State of Minnesota, authorized.

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 hereby authorized and directed to convey to the State of Minnesota the northeast quarter of the southeast quarter of section 35, township 143 north, range 37 west, fifth principal meridian, in the State of Minnesota, situated in the ceded portion of the White Earth Indian Reservation, upon the payment by the State of Minnesota of the sum of $185, being the price of the land and the timber, as provided by the Acts of January 14, 1889 (25 Stat. L. 642), and June 25, 1910 (36 Stat. L. 862).

Purchase price.
25 Stat., 642, vol. 1, 301.
36 Stat., 862, vol. 3, 482.

Approved, February 14, 1931.

February 14, 1931.
[H. R. 15601.]
46 Stat., 1108.

CHAP. 178.—An Act To provide funds for cooperation with the school board at Poplar, Montana, in the extension of the high-school building to be available to Indian children of the Fort Peck Indian Reservation

Poplar, Mont.
Sum authorized for cooperative school construction.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $50,000 for the purpose of cooperating with the public school board of district numbered 9, town of Poplar, and county of Roosevelt, Montana, for the extension and betterment of the public high-school building at Poplar, Montana: *Provided*, That the expenditure of any money so appropriated shall be subject to the express conditions that the school maintained by the said school district in the said building shall be available to all Indian children of Fort Peck Indian Reservation, Montana, on the same terms, except as to payment of tuition, as other children of said school district and that accommodations in said enlarged building to the extent of one-half its capacity shall be available for Indian children from the Fort Peck Reservation: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Provisos.
Admittance of Indian children.

Further conditions to be prescribed.

Approved, February 14, 1931.

CHAP. 179.—An Act To amend section 3 of the Act approved May 10, 1928, entitled "An Act to extend the period of restriction in lands of certain members of the Five Civilized Tribes, and for other purposes"

February 14, 1931.
[H. R. 15772.]
46 Stat., 1108.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act of May 10, 1928, entitled "An Act to extend the period of restriction in lands of certain members of the Five Civilized Tribes, and for other purposes," be amended to read as follows:

Five Civilized Tribes Okla.
45 Stat., 495, amended.
Ante, 44.

"SEC. 3. That all minerals, including oil and gas, produced on or after April 26, 1931, from restricted allotted lands of members of the Five Civilized Tribes in Oklahoma, or from inherited restricted lands of full-blood Indian heirs or devisees of such lands, shall be subject to all State and Federal taxes of every kind and character the same as those produced from lands owned by other citizens of the State of Oklahoma; and the Secretary of the Interior is hereby authorized and directed to cause to be paid, from the individual Indian funds held under his supervision and control and belonging to the Indian owners of the lands, the tax or taxes so assessed against the royalty interest of the respective Indian owners in such oil, gas, and other mineral production: *Provided*, That nothing in this Act shall be construed to impose or provide for double taxation and, in those cases where the machinery or equipment used in producing oil or other minerals on restricted Indian lands are subject to the ad valorem tax of the State of Oklahoma for the fiscal year ending June 30, 1931, the gross production tax which is in lieu thereof shall not be imposed prior to July 1, 1931."

Minerals produced from restricted lands of, subject to taxation after April 26, 1931.

Payments from funds of individual Indian owner.

Proviso.
Double taxation not imposed.
Gross production tax assessed after July 1, 1931, if oil, etc., producing machinery subject to State tax for fiscal year 1931.

Approved, February 14, 1931.

CHAP. 185.—An Act To amend the Alaska game law

February 14, 1931.
[H. R. 11285.]
46 Stat., 1111.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act to establish an Alaska Game Commission to protect game animals, land fur-bearing animals, and birds in Alaska, and for other purposes," approved January 13, 1925 (43 Stat. 739), is amended under the definition "game animals" following the comma after the word "bears" by adding the words "and such other animals as have been or may hereafter be introduced," and under the definition "game birds" following the comma after the word "ptarmigan" by adding the words "and such other birds as have been or may hereafter be introduced."

Alaska game law, amendments.
43 Stat., 739, amended.
U. S. C. p. 1573, amended.

"Game animals, etc." Definition extended.

* * * * * * *

SEC. 10. That, effective July 1, 1931, subdivision H of section 11 of said Act is amended by inserting after the word "franchise" in line 8 thereof the following: "or of cooperative stores operated exclusively by and for native Indians, Eskimos, or half-breeds, or of stores operated by missions exclusively for native Indians, Eskimos, or half-breeds: *Provided*, That the stores exempted from procuring licenses as herein provided shall, on or before thirty days after the expiration of each license year as specified in this Act, make a written statement to the commission on a form prepared and furnished by it setting forth such material facts concerning the management and operation of such store as the commission may by such form require and in addition thereto shall keep the records, make the reports, incur the penalties, and in all other respects be subject to the requirements of subdivision F of Section 11 to the same extent as licensed fur dealers," and by strik-

Licenses for fur dealers.
Added exemptions.
43 Stat., 745, amended.
Native, etc., cooperative stores.

Proviso.
Records and reports required.

Penalties.

ing out all after the colon in line 14 thereof and inserting in lieu thereof the following:

Schedule of fees. Residents.

"(a) If the applicant is a resident of the Territory, $10; or is an association or copartnership composed exclusively of residents of the Territory, organized under the laws of the Territory, for each member, $10.

Nonresident citizens, etc.

"(b) If the applicant is a nonresident of the Territory who is a citizen of the United States, or is a corporation composed exclusively of citizens of the United States, organized under the laws of the Territory or of a State of the United States, or is an association or copartnership composed exclusively of citizens of the United States, organized under the laws of the Territory or of a State of the United States, any member of which is a nonresident of the Territory, $100.

Aliens.

"(c) If the applicant is an alien, or is a corporation, association, or copartnership, not organized under the laws of the Territory or of a State of the United States, or is a corporation, association, or copartnership, any stockholder or member of which is an alien, $500.

Resident agent.

"(d) If the applicant is a resident of the Territory and an agent in charge of a station of a fur dealer of either of the classes (a), (b), or (c), or a resident itinerant agent of such dealer, $10.

Nonresident agent.

"(e) If the applicant is a nonresident of the Territory but a citizen of the United States and an agent in charge of a station of a fur dealer of either of the classes (a), (b), or (c), or a nonresident citizen itinerant agent of such dealer, $100.

Alien in charge, etc.

"(f) If the applicant is an alien and an agent in charge of a station of a fur dealer of either of the classes (a), (b), or (c), or an alien itinerant agent of such dealer, $500: *Provided*, That no license shall be issued to any agent whose principal has not procured a license in accordance with (a), (b), or (c)."

Proviso. Bar to agent.

* * * * * * *

Penalties. 43 Stat., 747, amended.

SEC. 13. Section 15 of said Act is amended by striking out all the words between the semicolons in lines 7 and 10 thereof and by inserting in lieu thereof the following: "and, in addition thereto, any person convicted of a violation of any provision of this Act who is the holder of any form of license issued thereunder shall thereupon forfeit said license and shall surrender it upon demand of any person authorized by the commission to receive it, and upon a second conviction he shall not be entitled to, nor shall he be granted, a license of such form for a period of one year from date of such forfeiture, and upon a third or successive conviction, for a period of five years from the date of such forfeiture; and any cooperative store operated exclusively by and for native Indians, Eskimos, or half-breeds, or any store operated by missions exclusively for native Indians, Eskimos, or half-breeds, without a license as provided in this Act, upon a second or third conviction for violation of this Act, shall not be entitled to engage in the business of dealing in furs for such time as the court before whom such conviction is had may decide: *Provided*, That such prohibition shall not be imposed for the first conviction, nor for a period in excess of one year from date of the second conviction, nor for a period in excess of five years from date of the third or any subsequent conviction."

Forfeiture of license privileges.

Second, etc., offenses.

Cooperative stores included.

Proviso. Imposition on first, etc., offenders.

* * * * * * *

Approved, February 14, 1931.

CHAP. 187.—An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes

February 14, 1931.
[H. R. 14675.]
46 Stat., 1115.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1932, namely:

Interior Department appropriations, fiscal year 1932.

OFFICE OF THE SECRETARY

Secretary's Office.

* * * * * * *

CONTINGENT EXPENSES, DEPARTMENT OF THE INTERIOR

Department contingent expenses.

For contingent expenses of the office of the Secretary and the bureaus and offices of the department; furniture, carpets, ice, lumber, hardware, dry goods, advertising, telegraphing, telephone service, including personal services of temporary or emergency telephone operators; street-car fares for use of messengers not exceeding $150; expressage, diagrams, awnings, filing devices, typewriters, adding and addressing machines and other labor-saving devices, including the repair, exchange, and maintenance thereof; constructing model and other cases and furniture; postage stamps to prepay postage on foreign mail and for special-delivery and air-mail stamps for use in the United States; traveling expenses, including necessary expenses of inspectors; fuel and light; examination of estimates for appropriations in the field for any bureau, office, or service of the department; not exceeding $500 shall be available for the payment of damages caused to private property by department motor vehicles; purchase for the use of the Secretary of the Interior of one passenger-carrying automobile at a cost not to exceed $5,000, to be immediately available, including the exchange allowance of one passenger-carrying automobile; purchase and exchange of motor trucks, motor cycles, and bicycles, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles and motor trucks, motor cycles, and bicycles to be used only for official purposes; rent of department garage; expense of taking testimony and preparing the same in connection with disbarment proceedings instituted against persons charged with improper practices before the department, its bureaus and offices; expense of translations, and not exceeding $1,000 for contract stenographic reporting services; not exceeding $700 for newspapers; stationery, including tags, labels, index cards, cloth-lined wrappers, and specimen bags, printed in the course of manufacture, and such printed envelopes as are not supplied under contracts made by the Postmaster General, for the department and its several bureaus and offices, and other absolutely necessary expenses not hereinbefore provided for, $100,000; and, in addition thereto, sums amounting to $83,000 for stationery supplies shall be deducted from other appropriations made for the fiscal year 1932, as follows: General Land Office, $5,500; Geological Survey, $5,500; Indian Service, $50,000; Freedman's Hospital, $1,000; Saint Elizabeths Hospital, $2,700; National Park Service, $6,300; Bureau of Reclamation, $12,000, any unexpended portion of which shall revert and be credited to the reclamation fund; and said sums so deducted shall be

Traveling expenses.

Property damages.

Vehicles.

Disbarment expenses.

Stationery, etc.

Additional, from specified appropriations.

credited to and constitute, together with the first-named sum of $100,000, the total appropriation for contingent expenses for the department and its several bureaus and offices for the fiscal year 1932.

Books, periodicals, etc.

For the purchase or exchange of professional and scientific books, law and medical books, and books to complete broken sets, periodicals, directories, and other books of reference relating to the business of the department, $500, and in addition there is hereby made available from any appropriations made for any bureau or office of the department not to exceed the following respective sums: Office of the Secretary, $600; Indian Service, $500; Office of Education, $1,800; Bureau of Reclamation, $2,000; Geological Survey, $3,000; National Park Service, $700; General Land Office, $500.

Office allotments.

* * * * * * *

EXPENSES OF INDIAN COMMISSIONERS

Indian Commissioners.

For expenses of the Board of Indian Commissioners, $14,100, of which amount not to exceed $9,000 may be expended for personal services in the District of Columbia.

General Land Office.

GENERAL LAND OFFICE

* * * * * * *

Indian reservations. Opening, to entry.

Opening Indian reservations (reimbursable): For expenses pertaining to the opening to entry and settlement of such Indian reservation lands as may be opened during the fiscal year 1932, $300: *Provided*, That the expenses pertaining to the opening of each of said reservations and paid for out of this appropriation shall be reimbursed to the United States from the money received from the sale of the lands embraced in said reservations, respectively.

Proviso. Reimbursement.

Indian Affairs Bureau.

BUREAU OF INDIAN AFFAIRS

SALARIES

Commissioner, and office personnel.

For the Commissioner of Indian Affairs and other personal services in the District of Columbia, $465,000, and in addition thereto the unexpended balance for this purpose for the fiscal year 1931 is continued available for the same purpose for the fiscal year 1932.

GENERAL EXPENSES

General expenses.

Transportation, telegraphing, etc.

For transportation and incidental expenses of officers and clerks of the Bureau of Indian Affairs when traveling on official duty; for telegraph and telephone toll messages on business pertaining to the Indian Service sent and received by the Bureau of Indian Affairs at Washington, and for other necessary expenses of the Indian Service for which no other appropriation is available, $20,000, and in addition thereto the unexpended balance for this purpose for the fiscal year 1931 is continued available for the same purpose for the fiscal year 1932.

Balance available. 46 Stat., 283; ante, 146.

Supplies. Purchase, transporting, etc.

For expenses necessary to the purchase of goods and supplies for the Indian Service, including inspection, pay of necessary employees, and all other expenses connected therewith, including advertising, storage, and transportation of Indian goods and supplies, $700,000: *Provided*, That no part of this appropriation shall be used in payment for any services except bill therefor is rendered within one year from the time the service is performed.

Proviso. Limitation on payments.

Field representatives.

For pay of field representatives of the Commissioner of Indian Affairs, and traveling and incidental expenses, $21,000, and in addition thereto the unexpended balance for this purpose for the fiscal year 1931 is continued available for the same purpose for the fiscal year 1932.

Judges.

For pay of judges of Indian courts where tribal relations now exist, at rates to be fixed by the Commissioner of Indian Affairs, $18,000.

Police.

For pay of Indian police, including chiefs of police at not to exceed $70 per month each and privates at not to exceed $50 per month each, to be employed in maintaining order, and for purchase of equipments and supplies, $163,000.

Suppression of liquor traffic, etc.

For the suppression of the traffic in intoxicating liquors and deleterious drugs, including peyote, among Indians, $100,000.

Agency buildings.
Purchase, repair, etc.

For lease, purchase, repair, and improvement of agency buildings, exclusive of hospital buildings, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $225,000; for construction of physical improvements, exclusive of hospitals, $61,000; in all, $286,000, and in addition thereto the unexpended balance for new construction under this head, contained in the Act of March 4, 1929 (45 Stat., p. 1567), is hereby reappropriated and made available for construction of physical improvements until June 30, 1932: *Provided*, That this appropriation shall be available for the payment of salaries and expenses of persons employed in the supervision of construction or repair work of roads and bridges on Indian reservations and other lands devoted to the Indian Service: *Provided further*, That not more than $3,500 shall be expended for new construction at any one agency except as follows: Not to exceed $12,000 for employees' building, Blackfeet Agency, Montana; $10,000 for employees' building and $20,000 for four employees' cottages, Shoshone Agency, Wyoming; $7,500 for two employees' cottages, Hoopa Valley Agency, California; $8,000 for two employees' cottages, Cherokee Agency, North Carolina; $8,000 for three employees' cottages, Zuni Agency, New Mexico.

Balance for new construction reappropriated.
45 Stat., 1567.
Ante, 93.

Provisos.
Supervision of construction.

New construction limited.
Exceptions.

Telephone lines.
Gallup, N. Mex. and Zuni Agency.
Jicarilla Reservation, N. Mex.

For the purchase of supplies and equipment and the employment of labor for the construction and repair of telephone lines between Gallup, New Mexico, and the Zuni Indian Agency; and within the Jicarilla Reservation, New Mexico, $23,000.

Vehicles.
Allowance for maintenance.

Not to exceed $160,000 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for the use of superintendents, farmers, physicians, field matrons, allotting, irrigation, and other employees in the Indian field service: *Provided*, That not to exceed $1,000 may be used in the purchase of horse-drawn passenger-carrying vehicles, and not to exceed $125,000 for the purchase and exchange of motor-propelled passenger-carrying vehicles, and that such vehicles shall be used only for official service.

Proviso.
Purchases limited.

Emergency allowance by diversions from specified appropriations.

That to meet possible emergencies not exceeding $100,000 of the appropriations made by this Act for support of reservation and nonreservation schools, for school and agency buildings, and for conservation of health among Indians shall be available, upon approval of the Secretary of the Interior, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Indian Service above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: *Provided*, That the limitations for new construc-

Provisios.

Building construction allowed.

tion contained in the appropriations for Indian school, agency, and hospital buildings shall not apply to such emergency expenditures: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Report to Congress.

Attendance at meetings.

Not to exceed $12,000 shall be available from applicable funds for expenses (not membership fees) of employees of the Indian Service when authorized by the Secretary of the Interior to attend meetings of medical, health, educational, agricultural, and industrial associations in the interest of work among the Indians.

Sioux Tribe.
Claims of individual members.

The unexpended balance of the appropriation of $12,000 contained in the Interior Department Appropriation Act for the fiscal year 1931, for investigating, hearing, and determining the claims of individual members of the Sioux Tribe against tribal funds, or against the United States, as authorized by the Act of May 3, 1928 (45 Stat., p. 484), shall remain available until June 30, 1932.

Balance available.
45 Stat., 484; ante, 43.

Probate matters.

EXPENSES IN PROBATE MATTERS

Determining heirs of allottees.

For the purpose of determining the heirs of deceased Indian allottees having right, title, or interest in any trust or restricted property, under regulations prescribed by the Secretary of the Interior, $73,000, reimbursable as provided by existing law, of which $16,000 shall be available for personal services in the District of Columbia: *Provided*, That the provisions of this paragraph shall not apply to the Osage Indians nor to the Five Civilized Tribes of Oklahoma.[1]

Services in the District.
Proviso.
Tribes excepted.

Five Civilized Tribes, and Quapaws.
Attorneys, etc., for.

For salaries and expenses of such attorneys and other employees as the Secretary of the Interior may, in his discretion, deem necessary in probate matters affecting restricted allottees or their heirs in the Five Civilized Tribes and in the several tribes of the Quapaw Agency, and for the costs and other necessary expenses incident to suits instituted or conducted by such attorneys, $40,000: *Provided*, That no part of this appropriation shall be available for the payment of attorneys or other employees unless appointed after a competitive examination by the Civil Service Commission and from an eligible list furnished by such commission.

Proviso.
Restricted to civil-service eligibles.

Indian lands.

INDIAN LANDS

Surveying, allotting, etc., in severalty.
24 Stat., 388, vol. 1, 33.
U. S. C., p. 711.

For the survey, resurvey, classification, and allotment of lands in severalty under the provisions of the Act entitled "An Act to provide for the allotment of lands in severalty to Indians," approved February 8, 1887 (U. S. C., title 25, sec. 331), and under any other Act or Acts providing for the survey or allotment of Indian lands, $50,000: *Provided*, That no part of said sum shall be used for the survey, resurvey, classification, or allotment of any land in severalty on the public domain to any Indian, whether of the Navajo or other tribes, within the State of New Mexico and the State of Arizona, who was not residing upon the public domain prior to June 30, 1914.

Proviso.
Use in New Mexico and Arizona limited.

Pueblo Board.
Expenses.
43 Stat., 640, vol. 4, 458.
46 Stat., 285; ante, 148.

For carrying out the provisions of section 13 of the Act entitled "An Act to quiet the title to lands within Pueblo Indian land grants, and for other purposes," approved June 7, 1924 (43 Stat., p. 636), $8,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1931.

California Indians.
Enrollment expenses.

For carrying out the provisions of section 7 of the Act entitled "An Act authorizing the attorney general of the State of California to bring suit in the Court of Claims on behalf of the Indians in

[1] 11 Comp. Gen. Dec., 266.

California," approved May 18, 1928 (45 Stat., p. 602), and for continuing the enrollment of said Indians as directed therein, the unexpended balance of the appropriation for this purpose for the fiscal year 1931 is hereby continued available until June 30, 1932.

45 Stat., 602; ante, 49.
46 Stat., 285, ante, 148.

For the payment of newspaper advertisements and printing locally of posters of sales of Indian lands, $500, reimbursable from payments by purchasers of costs of sale, under such rules and regulations as the Secretary of the Interior may prescribe.

Advertising land sales

For the pay of one special attorney for the Pueblo Indians of New Mexico, to be designated by the Secretary of the Interior, and for necessary traveling expenses of said attorney, $3,700.

Pueblo Indians, N. Mex.
Attorney for.

For the purchase of lands for the homeless Indians in California, including improvements thereon, for the use and occupancy of said Indians, the unexpended balance of the appropriation for this purpose for the fiscal year 1931 is hereby continued available during the fiscal year 1932.

Indians in California.
Purchase of lands for homeless.
Balance available.
46 Stat., 285; ante, 148.

For the purchase of lands, including improvements thereon, not exceeding eighty acres for any one family, for the use and occupancy of the full-blood Choctaw Indians of Mississippi, to be expended under conditions to be prescribed by the Secretary of the Interior for its repayment to the United States under such rules and regulations as he may direct, $6,500.

Choctaw Indians of Mississippi.
Purchase of lands for full-blood.

For carrying out the provisions of the Act of June 7, 1924 (43 Stat., p. 636), to quiet title in Pueblo Indian lands, New Mexico, and in settlement for damages for lands and water rights lost to the Indians of the pueblos as recommended in the respective reports of the Pueblo Lands Board thereon, the sum of $131,535.73, as follows:

Pueblo Indian lands, N. Mex.
Quieting titles in, etc.
43 Stat., 636, vol. 4, 454.
Payments to designated pueblos.

Santa Clara, $86,821.87; Cochiti, $7,311.62; Pecos, $28,145; Tesuque, supplemental, $426.23; Santo Domingo, supplemental, $2,522.80; Sandia, supplemental, $3,823.35; Isleta, supplemental, $1,532.21; Santa Ana, supplemental, $952.65: *Provided*, That $4,863.98 of the above amount for the Cochiti pueblo may be expended for the purchase of land and water rights, and the remainder of said amount shall be available for irrigation, drainage, and improvements on Cochiti pueblo lands, and $1,000 of the above amount for the Santa Clara pueblo may be used for reimbursing the appropriation for encouraging industry among Indians, made by the Act of May 14, 1930 (46 Stat., p. 288), for cost of fencing and leveling lands in said pueblo: *Provided further*, That appropriations heretofore made for the purchase of land and water rights and fencing, irrigating, and improving the lands of the Santo Domingo, Nambe, Sandia, Taos, San Felipe, Tesuque, San Juan, Isleta, and Picuris pueblos, are hereby continued available until June 30, 1932.

Provisos.
Purchases authorized.
Cochiti pueblo.

Encouraging industry among Indians.
46 Stat., 288; ante, 150
Sums reappropriated.

Nambe, etc. Pueblos, N. Mex.

For purchase of thresher, binder, hay baler, and other farm equipment for the Nambe Pueblo, New Mexico, $1,500, payable from funds on deposit to the credit of said pueblo.

Farm equipment, etc.

For purchase of land, city water service connection, installation of pipe and hydrants, and erection of standpipe with necessary protective structure for the Indian colony near Ely, Nevada, as authorized by and in accordance with the Act of June 27, 1930, $1,600.

Ely, Nev.
Purchase of land, etc., near, for use of Indians.
46 Stat., 820; ante, 180.

For purchase of additional land and water rights for the use and benefit of Indians of the Navajo Tribe as authorized to be acquired by the Act of May 29, 1928 (45 Stat., p. 899), $100,000, reimbursable, and the unexpended balances of the appropriations made by the Acts of May 29, 1928, and March 4, 1929, for this purpose are hereby continued available until June 30, 1932; and for purchase, or lease pending purchase, of such additional land and water rights for such Indians, $125,000, payable from Navajo tribal funds of which $10,000

Navajo Indians.
Purchase of additional lands, etc.
45 Stat., 899, 1569; ante, 59, 102.

Sum immediately available.

Proviso.
Title for surface only.

shall be immediately available: *Provided*, That title to all such lands so purchased shall be taken in the name of the United States in trust for the Navajo Tribe, and in purchasing such lands title may be taken, in the discretion of the Secretary of the Interior, for the surface only.

Shawnee Indians, Okla.
Paying award to, under treaty obligations.
46 Stat., 105; ante, 137.
15 Stat., 513, vol. 2, 960.
45 Stat., 1550; ante, 92.

The unexpended balance of the appropriation of $109,746.25 contained in the First Deficiency Act, fiscal year 1930, for payment to the loyal Shawnee Indians in settlement of their claim arising under the twelfth article of the treaty with said Indians proclaimed October 14, 1868 (15 Stat., p. 513), as authorized by and in accordance with the Act of March 4, 1929, is hereby continued available until June 30, 1932.

Kiowas, etc., Okla.
Payment to, from royalty funds.
44 Stat., 740, vol. 4, 558.

For payment to the Kiowa, Comanche, and Apache Indians, of Oklahoma, under such rules and regulations as the Secretary of the Interior may prescribe, $200,000, from the tribal trust fund established by joint resolution of Congress, approved June 12, 1926 (44 Stat., p. 740), being a part of the Indians' share of the money derived from the south half of the Red River in Oklahoma: *Provided*, That said sum herein made available shall be paid out in two equal installments—one during the month of October and one during the month of March.

Proviso.
Payable in two installments.

INDUSTRIAL ASSISTANCE AND ADVANCEMENT

Industrial assistance, etc.

Timber preservation, etc.

For the preservation of timber on Indian reservations and allotments other than the Menominee Indian Reservation in Wisconsin, the education of Indians in the proper care of forests, and the general administration of forestry work, including fire prevention and payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires in contravention of law on Indian lands, $248,000: *Provided*, That this appropriation shall be available for the expenses of administration of Indian forest lands from which timber is sold to the extent only that proceeds from the sales of timber from such lands are insufficient for that purpose.

Proviso.
Administration of forest lands from timber sales, etc.

Timber sales, etc., expenses.

For expenses incidental to the sale of timber, and for the expenses of administration, including fire prevention, of Indian forest lands from which such timber is sold to the extent that the proceeds of such sales are sufficient for that purpose, $250,000, reimbursable to the United States as provided in the Act of February 14, 1920 (U. S. C., title 25, sec. 413): *Provided*, That this appropriation shall be available for the payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires in contravention of law.

Reimbursement.
41 Stat., 415 vol. 4, 238.
U. S. C., p. 720.
Proviso.
Rewards for information.

Klamath Reservation, Oreg.
Forest insect control on.

For continuation of forest insect control work on the Klamath Indian Reservation in Oregon, $20,000, payable from funds on deposit in the Treasury to the credit of the Klamath Indians.

Emergency forest fire suppression.
From tribal funds.

For the suppression or emergency prevention of forest fires on or threatening Indian reservations, $50,000, together with $25,000 from funds held by the United States in trust for the respective tribes of Indians interested: *Provided*, That not to exceed $50,000 of appropriations herein made for timber operations and for support and administration purposes may be transferred, upon the approval of the Secretary of the Interior, for fire suppression or emergency prevention purposes and allotments of funds so transferred shall be made by the Secretary of the Interior only after the obligation for the expenditure has been incurred: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Provisos.
Funds available.

Only on incurring obligation therefor.

Report to Congress.

Geological Survey.
Supervising mining operations by, on leased lands.

For transfer to the Geological Survey for expenditures to be made in inspecting mines and examining mineral deposits on Indian lands and in supervising mining operations on restricted, tribal, and

allotted Indian lands leased under the provisions of the Acts of February 28, 1891 (26 Stat., p. 795), May 27, 1908 (35 Stat., p. 312), March 3, 1909 (U. S. C., title 25, sec. 396), and other Acts authorizing the leasing of such lands for mining purposes, $95,000.

26 Stat., 795, vol. 1, p. 67.
35 Stat., 312, 444, 783, vol. 3, 351.
U. S. C., p. 717.

For the purpose of obtaining remunerative employment for Indians, $60,000, and the unexpended balance for this purpose for the fiscal year 1931 is continued available for the same purpose for the fiscal year 1932.

Employment for Indians.
Balance available.
46 Stat., 287; ante, 151.

For the purpose of developing agriculture and stock raising among the Indians, including necessary personnel, traveling and other expenses, and purchase of supplies and equipment, $382,000, of which not to exceed $15,000 may be used to conduct agricultural experiments and demonstrations on Indian school or agency farms and to maintain a supply of suitable plants or seed for issue to Indians.

Developing agriculture and stock raising.

Agricultural experiments on farms.

For the purpose of encouraging industry and self-support among the Indians and to aid them in the culture of fruits, grains, and other crops, $575,000, which sum may be used for the purchase of seeds, animals, machinery, tools, implements, and other equipment necessary, and for advances to Indians having irrigable allotments to assist them in the development and cultivation thereof, in the discretion of the Secretary of the Interior, to enable Indians to become self-supporting: *Provided*, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1937, except in the case of loans on irrigable lands for permanent improvement of said lands, in which the period for repayment may run for not exceeding twenty years in the discretion of the Secretary of the Interior: *Provided further*, That $225,000 shall be immediately available for expenditures for the benefit of the Pima Indians and not to exceed $25,000 of the amount herein appropriated shall be expended on any other one reservation or for the benefit of any other one tribe of Indians: *Provided further*, That no part of this appropriation shall be used for the purchase of tribal herds: *Provided further*, That the Secretary of the Interior is hereby authorized, in his discretion and under such rules and regulations as he may prescribe, to make advances from this appropriation to old, disabled, or indigent Indian allottees, for their support, to remain a charge and lien against their lands until paid: *Provided further*, That advances may be made to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe.

Encouraging farming, for self-support.
Purchases authorized.

Provisos.
Repayment.

Loans on irrigable lands.
Pima Indians.
Limit to a tribe.

Tribal herds excepted.

Advances to old, etc., allottees.

Education of Indian youths.

For all expenses in connection with clearing and leveling of land within the San Carlos Reservation, Arizona, including pay of necessary employees and purchase of equipment and supplies, $7,500.

San Carlos Reservation, Ariz.
Clearing and leveling land.

Industrial assistance: For the construction of homes for individual members of the tribes; the purchase for sale to them of seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support, and Indians having irrigable allotments to assist them in the development and cultivation thereof, payable from tribal funds on deposit as follows: Fort Apache, Arizona, $50,000; Fort Lapwai, Idaho, $25,000; Yakima, Washington, $25,000; in all, $100,000; and the unexpended balances of the appropriations under this head contained in the Interior Department Appropriation Act for the fiscal year 1931 are hereby continued available during the fiscal year 1932: *Provided*, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the

Industrial assistance.
Construction of homes, purchase of farm implements, supplies, etc., from tribal funds.
Advances to aged, etc., Indians.

Fort Apache, Ariz.
Fort Lapwai, Idaho.
Yakima, Wash.
Balance reappropriated.
46 Stat., 288; ante, 151.

Provisos.
Repayment.

Loans on irrigable lands.

Secretary of the Interior for repayment to the United States on or before June 30, 1937, except in the case of loans on irrigable lands for permanent improvement of said lands in which the period for repayment may run for not exceeding twenty years, in the discretion of the Secretary of the Interior, and advances to old, disabled, or indigent Indians for their support, which shall remain a charge and lien against their land until paid: *Provided further*, That advances may be made to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That all moneys reimbursed during the fiscal year 1932 shall be credited to the respective appropriations and be available for the purposes of this paragraph.

Reimbursement, of advances to youths for educational courses.

Credit of moneys reimbursed.
Availability.

Livestock, infected with dourine.
Reimbursement for, destroyed.

Balance reappropriated.
46 Stat., 288; ante, 151.

For reimbursing Indians for livestock destroyed on account of being infected with dourine, and for expenses in connection with the work of eradicating and preventing such disease, $10,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1931, to be expended under such rules and regulations as the Secretary of the Interior may prescribe.

Scabies in sheep and goats.
Eradication, etc.

For assisting Indians in the eradication of scabies in their sheep and goats, $60,000, which amount may be transferred by the Secretary of the Interior, with the approval of the Secretary of Agriculture, to the Bureau of Animal Industry for direct expenditure.

Papago Indian Reservation, Ariz.
Repairing boundary fence with Mexico.

For reconstruction and repair of the fence along the international boundary line between Mexico and the Papago Indian Reservation, Arizona, $15,000.

Water supply.

DEVELOPMENT OF WATER SUPPLY

Developing, conserving, etc.

Developing water supply: For improving springs, drilling wells, and otherwise developing and conserving water for Indian use, including the purchase, construction, and installation of pumping machinery, tanks, troughs, and other necessary equipment, and for necessary investigations and surveys for the purpose of increasing the available grazing range on unallotted lands on Indian reservations; not more than $100,000 for the Navajo Indians in Arizona and New Mexico, not more than $27,500 for the Papago Indians in Arizona, not more than $7,500 for the Pueblo Indian lands in New Mexico, and not more than $6,000 for the Hopi Indians in Arizona; in all, $141,000.

Increasing grazing ranges, etc.

Distribution.

Improving, from tribal funds.

Developing water supply (from tribal funds): For improving springs, drilling wells, and otherwise developing and conserving water for Indian use, including the purchase, construction, and installation of pumping machinery, tanks, troughs, and other necessary equipment, and for necessary investigations and surveys for the purpose of increasing the available grazing range on unallotted lands on Indian reservations: For the Mescalero Reservation, New Mexico, $5,000; for the Ute Mountain Reservation, Colorado, $3,000; for the Truxton Canyon Reservation, Arizona, $3,000; in all, $11,000; to be paid from funds held in trust for said tribes of Indians, respectively, by the United States.

Reservations designated.

From trust funds.

Irrigation and drainage.

IRRIGATION AND DRAINAGE

Construction, maintenance, etc., of systems of.

For the construction, repair, and maintenance of irrigation systems, and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian reservations and allotments; for operation of irrigation systems or

appurtenances thereto when no other funds are applicable or available for the purpose; for drainage and protection of irrigable lands from damage by floods or loss of water rights, upon the Indian irrigation projects named below, in not to exceed the following amounts, respectively:

Allotments to districts.

Irrigation district one: Colville Reservation, Washington, $7,300;

Irrigation district two: Walker River Reservation, Nevada, $17,000; Fort McDermitt, Nevada, $1,200; Western Shoshone Reservation, Idaho and Nevada, $4,500; Shivwits, Utah, $800;

Irrigation district four: Ak Chin Reservation, Arizona, $8,000; Chiu Chui pumping plants, Arizona, $4,500; Coachella Valley pumping plants, California, $2,000; Morongo Reservation, California, $3,500; Pala and Rincon Reservations, California, $6,000; miscellaneous projects, $5,000;

Irrigation district five: New Mexico Pueblos, $10,000; Zuni Reservation, New Mexico, $31,500; Navajo and Hopi, miscellaneous projects, Arizona and New Mexico, $23,400; Southern Ute Reservation, Colorado, $16,000;

Administration.
Irrigation engineers, etc.

For necessary miscellaneous expenses incident to the general administration of Indian irrigation projects, including salaries of one chief irrigation engineer, one assistant chief irrigation engineer, one superintendent of irrigation competent to pass upon water rights, not to exceed five supervising engineers, one field cost accountant, and for traveling and incidental expenses of officials and employees of the Indian irrigation service, $102,000;

Traveling etc., expenses.

Reimbursement.
Balances available.
46 Stat., 289; ante, 132.
45 Stat., 1573; ante, 100.
38 Stat., 582, vol. 4, 7.
U. S. C., p. 715.
Provisos.
Use restricted.

In all, for irrigation on Indian reservations, not to exceed $224,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1931, which is hereby continued available until June 30, 1932, reimbursable as provided in the Act of August 1, 1914 (U. S. C., title 25, sec. 385): *Provided*, That no part of this appropriation shall be expended on any irrigation system or reclamation project for which public funds are or may be otherwise available: *Provided further*, That the foregoing amounts appropriated for such purposes shall be available interchangeably, in the discretion of the Secretary of the Interior, for the necessary expenditures for damages by floods and other unforeseen exigencies, but the amount so interchanged shall not exceed in the aggregate 10 per centum of all the amounts so appropriated: *Provided further*, That the cost of irrigation projects and of operating and maintaining such projects where reimbursement thereof is required by law shall be apportioned on a per acre basis against the lands under the respective projects and shall be collected by the Secretary of the Interior as required by such law, and any unpaid charges outstanding against such lands shall constitute a first lien thereon which shall be recited in any patent or instrument issued for such lands.

Flood damage, etc., expenses, interchangeable; limitation.

Apportionment of costs on per acre basis.

Unpaid charges a first lien on property.

San Carlos Reservation, Ariz.
Irrigation of tribal lands.
43 Stat., 475, vol. 4, 447.
Florence-Casa Grande project.
Construction, etc.
Gila River Reservation.
Delivery of water to lands in.
Damages.
Rights of way; reimbursable.
45 Stat., 1573; ante, 100.
Proviso.
Repayment contract required.

For all purposes necessary to provide an adequate distributing, pumping, and drainage system for the San Carlos project, authorized by the Act of June 7, 1924 (43 Stat., p. 475), and to continue construction of and to maintain and operate works of that project and of the Florence-Casa Grande project; and to maintain, operate, and extend works to deliver water to lands in the Gila River Indian Reservation which may be included in the San Carlos project, including not more than $5,000 for crop and improvement damages and not more than $5,000 for purchases of rights of way, $600,000, reimbursable as required by said Act of June 7, 1924, as amended, and subject to the conditions and provisions imposed by said Act as amended: *Provided*, That with the exception of $150,000 for the maintenance and operation of the project, no monies herein appropriated shall be available unless

43 Stat., 476, vol. 4, 448.
Covenants included.

and until a repayment contract, as required by the San Carlos Act (Act of June 7, 1924, 43 Stat., 475–476), shall have been entered into, in which repayment contract there shall be included only sums appropriated after the approval of the San Carlos Act and such of the costs of the Florence-Casa Grande project as may be payable as costs of the San Carlos project due to effecting by the Secretary of the Interior in whole or in part a merger of the two projects as authorized by the Act of March 7, 1928 (45 Stat., 200).

Merger of projects.
45 Stat., 211; ante, 16.

Colorado River Reservation, Ariz.
Improvements, etc.
36 Stat., 273, vol. 3, 432.

For improvement, operation, and maintenance of the pumping plants and irrigation system on the Colorado River Indian Reservation, Arizona, as provided in the Act of April 4, 1910 (36 Stat., p. 273), $8,000, reimbursable as provided in the aforesaid Act.

Ganado project, Ariz.
Operation, etc.

For operation and maintenance of the Ganado irrigation project, Arizona, reimbursable under such rules and regulations as the Secretary of the Interior may prescribe, $3,000.

San Carlos Reservation, Ariz.
Irrigating tribal lands.

For the operation and maintenance of pumping plants for the irrigation of lands on the San Carlos Reservation in Arizona, $5,000, to be paid from the funds held by the United States in trust for the Indians of such reservation: *Provided*, That the sum so used shall be reimbursed to the tribe by the Indians benefited, under such rules and regulations as the Secretary of the Interior may prescribe.

Proviso.
Reimbursement.

Fort Hall project, Idaho.
Operation.

For improvements, maintenance, and operation of the Fort Hall irrigation system, Idaho, $45,000.

Kootenai Indians, Idaho.
Drainage, etc.
45 Stat., 938; ante, 62.

For the purpose of carrying out the provisions of the Act approved May 29, 1928 (45 Stat., p. 938), to provide reclamation of Kootenai Indian allotments in Idaho within the exterior boundaries of drainage districts that may be benefited by drainage works of such districts, the unexpended balance of the appropriation of $114,000 contained in the Act of March 4, 1929 (45 Stat., p. 1574), is hereby continued available until June 30, 1932.

Balance available.
46 Stat., 290; ante, 154.

Fort Belknap Reservation, Mont.
Operation, etc.
36 Stat., 270, vol. 3, 429.

For maintenance and operation, repairs and continuation of construction of the irrigation systems on the Fort Belknap Reservation, in Montana, $20,000, reimbursable in accordance with the provisions of the Act of April 4, 1910 (36 Stat., p. 270).

Fort Peck Reservation, Mont.
Maintenance, etc., of projects.

For maintenance and operation of the Little Porcupine Division, the Big Porcupine Division, and not exceeding four thousand acres under the West Side canal and the Poplar River Division, Fort Peck project, Montana, $8,000, reimbursable.

Flathead Reservation, Mont.
Maintenance, etc.
Continuing construction of designated objects.

For operation and maintenance of the irrigation systems on the Flathead Indian Reservation, Montana, $18,000; for continuation of construction, Camas A betterment, $10,000; beginning construction of Lower Crow Reservoir, $90,000, together with the unexpended balance of the appropriation for completing the Kicking Horse Reservoir contained in the Interior Department Appropriation Act for the fiscal year 1931; beginning Pablo Reservoir enlargement, $85,000; lateral systems betterment, $25,000; miscellaneous engineering, surveys and examinations, $5,000; purchase of reservoir and camp sites, $55,000; for the construction or purchase of a power distributing system, $50,000; in all, $338,000: *Provided*, That the unexpended balance of the appropriations for continuing construction of this project now available shall remain available for the fiscal year 1932 for such construction or purchase of a power-distributing system: *Provided further*, That in addition to the amounts herein appropriated for such construction or purchase of a power-distributing system, the Secretary of the Interior may also enter into contracts for the same purposes not exceeding a total of $200,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government

Provisos.
Balance available for power plant.
46 Stat., 291; ante, 154.

Additional contracts authorized.

for the payment of the cost thereof and appropriations hereafter made for such purposes shall be considered available for the purpose of discharging the obligation so created: *Provided further*, That the funds made available herein for continuation of construction shall be subject to the reimbursable and other conditions and provisions of said Acts: *Provided further*, That in any district in this project, which has or may hereafter execute a repayment contract in pursuance of existing law, the first payment of construction charges may in the discretion of the Secretary of the Interior be required in the calendar year 1935, but in any event the total repayment of such construction charges shall be required in not more than forty years from the date of public notice heretofore given: *And provided further*, That upon execution by the Jocko and Mission districts of repayment contracts in pursuance to existing law, the operation and maintenance charges for those districts for the irrigation season of 1931 shall be covered into construction costs.

Reimbursable.

Time for payment of construction charges.

Jocko and Mission districts.
Repayments covered into construction costs.

For improvement, maintenance, and operation, $32,000; and for second of three-year construction program of the Two Medicine and Badger-Fisher divisions of the irrigation systems on the Blackfeet Indian Reservation in Montana, including the purchase of any necessary rights or property, $46,000; in all, $78,000 (reimbursable).

Blackfeet Reservation, Mont.
Operation of divisions of systems on.

For maintenance and operation of the irrigation systems on the Crow Reservation, Montana, including maintenance assessments payable to the Two Leggins Water Users' Association and Bozeman Trail Ditch Company, Montana, properly assessable against lands allotted to the Indians irrigable thereunder $5,000; for cooperation with or payment to an irrigation district formed for the purpose of reclaiming seeped areas under the Two Leggins Unit, embracing approximately 1,240 acres of trust patent Indian land, $19,840; for construction of drainage for agency lands, $3,460; in all, $28,300, to be reimbursed under such rules and regulations as may be prescribed by the Secretary of the Interior in accordance with the Act of May 26, 1926 (44 Stat., pp. 658–660).

Crow Reservation, Mont.
Operation of systems on.

Reimbursement, 44 Stat., 658, vol. 4, 552.

For operation and maintenance of the irrigation system on the Pyramid Lake Reservation, Nevada, $4,000, reimbursable from any funds of the Indians of this reservation now or hereafter available.

Pyramid Lake Reservation, Nev.
Operation, etc., of system on.

For payment of annual installment of reclamation charges against Paiute Indian lands within the Newlands reclamation project, Nevada, $4,421; for plans and estimates for completion of construction, $2,500; and for payment in advance, as provided by district law, of operation and maintenance assessments, including assessments for the operation of drains to the Truckee-Carson irrigation district, which district, under contract, is operating the Newlands reclamation project, $11,020, to be immediately available; in all, $17,941.

Newlands project, Nev.
Paying charges against Paiute lands within.

For improvement, operation, and maintenance of the irrigation system for the Laguna and Acoma Indians in New Mexico, $4,000, reimbursable by the Indians benefited, under such rules and regulations as the Secretary of the Interior may prescribe.

Laguna and Acoma Indians, N. Mex.
Operation, etc., of system for.

For improvement, operation, and maintenance of the Hogback irrigation project on that part of the Navajo Reservation in New Mexico under the jurisdiction of the Northern Navajo Agency, $12,000, reimbursable under such rules and regulations as the Secretary of the Interior may prescribe.

Hogback project, Navajo Reservation, N. Mex.
Operation.

For repair of damage to irrigation systems resulting from flood and for flood protection of irrigable lands on the several pueblos in New Mexico, $5,000, and the unexpended balance of the appropriation for this purpose for the fiscal year 1931 shall be available for the same purpose for the fiscal year 1932.

Pueblo lands, New Mexico.
Flood protection.
Balance available.
46 Stat., 286; ante, 150.

Middle Rio Grande Conservancy District, N. Mex.
Payment to.
45 Stat., 312, 1640; ante, 34, 121.

For payment to the Middle Rio Grande Conservancy District in accordance with the provisions of the Act entitled "An Act authorizing the Secretary of the Interior to execute an agreement with the Middle Rio Grande Conservancy District providing for conservation, irrigation, drainage, and flood control for the Pueblo Indian lands in the Rio Grande Valley, New Mexico, and for other purposes," approved March 13, 1928 (45 Stat., p. 312), $200,000, reimbursable as provided in said Act, to be immediately available.

Engineers, etc.

For salaries and all other expenses of the Government engineer and assistants appointed in pursuance to contract executed December 14, 1928, by the Secretary of the Interior with the Middle Rio Grande Conservancy District, $14,000, together with the unexpended balance of the appropriation for this purpose for the fiscal years 1930 and 1931.

Balance available.
46 Stat., 104; ante, 135.

Klamath, Reservation, Oreg.
Operating projects on, from tribal funds.

For improvement, maintenance, and operation of miscellaneous irrigation projects on the Klamath Reservation, $3,500, to be paid from the funds held by the United States in trust for the Klamath Indians in the State of Oregon, said sum, or such part thereof as may be used, to be reimbursed to the tribe under such rules and regulations as the Secretary of the Interior may prescribe.

Lake Andes, S. Dak.
Spillway and drainage ditch.
Balance available.
46 Stat., 292; ante, 155.

Lake Andes, South Dakota, spillway and drainage ditch: The unexpended balance of $48,612.76 of the appropriation for the construction of a spillway and drainage ditch to lower the level of Lake Andes, South Dakota, contained in the Act of September 22, 1922 (42 Stat., p. 1051), and covered into the surplus fund by the Act of March 7, 1928 (45 Stat., p. 215), which was reappropriated for the same purposes during the fiscal year 1930 in the Act of March 4, 1929 (45 Stat., p. 1641), is hereby continued available for the same purposes during the fiscal year 1932: *Provided*, That no part of this appropriation shall be expended until the Secretary of the Interior shall have obtained from the proper authorities of the State of South Dakota satisfactory guaranties of the payment by said State of one-half of the cost of the construction of the said spillway and drainage ditch.

42 Stat., 1051, vol. 4, 367.
45 Stat., 215, 1641.
Ante, 20, 121.

Proviso.
Contribution by South Dakota required.

Uncompahgre, etc., Utes, Utah.
Continuing irrigation of allotments of.
34 Stat., 375, vol. 3, 243.

For continuing operation and maintenance and betterment of the irrigation system to irrigate allotted lands of the Uncompahgre, Uintah, and White River Utes in Utah, authorized under the Act of June 21, 1906 (34 Stat., p. 375), and for drainage and water rights investigations, $10,000, to be paid from tribal funds held by the United States in trust for said Indians, said sum to be reimbursed to the tribal fund by the individuals benefited under such rules and regulations as may be prescribed by the Secretary of the Interior.

Reimbursement to tribal funds.

Yakima Reservation, Wash.
Toppenish - Simcoe unit.
41 Stat., 28, vol. 4, 218.

For operation and maintenance, including repairs, of the Toppenish-Simcoe irrigation unit, on the Yakima Reservation, Washington, reimbursable as provided by the Act of June 30, 1919 (41 Stat., p. 28), $1,000.

Wapato project.
Construction, etc.
38 Stat., 604, vol. 4, 30.

For continuing construction of the Wapato irrigation and drainage system, for the utilization of the water supply provided by the Act of August 1, 1914 (38 Stat., p. 604), $360,000, reimbursable as provided by said Act.[1]

Yakima Reservation, Wash.
Water payments.

For reimbursement to the reclamation fund the proportionate expense of operation and maintenance of the reservoirs for furnishing stored water to the lands in Yakima Indian Reservation, Washington, in accordance with the provisions of section 22 of the Act of August 1, 1914 (38 Stat., p. 604), $11,000.

38 Stat., 604, vol. 4, 30.
Satus unit of Wapato project.
Operation, etc.

For operation and maintenance of the Satus unit of the Wapato project that can be irrigated by gravity and pumping from the drainage water from the Wapato project, Yakima Reservation, Wash-

[1] 53 I. D. D., 632.

ington, $1,000, be reimbursed under such rules and regulations as the Secretary of the Interior may prescribe.

Lummi project, Wash.
Dike, etc., construction.
44 Stat., 211, vol. 4, 517.

For further construction work, including the placing of tide gates on the Lummi diking project, Washington, $3,600, reimbursable as provided for by the Act of March 18, 1926 (44 Stat., p. 211), and the public notice issued pursuant thereto.

Wind River Reservation, Wyo.
Extension of irrigation to additional lands.

For the extension of canals and laterals on the ceded portion of the Wind River Reservation, Wyoming, to provide for the irrigation of additional Indian lands, and for the Indians' pro rata share of the cost of the operation and maintenance of canals and laterals and for the Indians' pro rata share of the cost of the Big Bend drainage project on the ceded portion of that reservation, and for continuing the work of constructing an irrigation system within the diminished reservation, including the Big Wind River and Dry Creek Canals, and including the maintenance and operation of completed canals, $66,000, reimbursable as provided by existing law.

Big Bend project.

Big Wind River and Dry Creek Canals.

Appropriations herein for irrigation and drainage of Indian lands shall be available only for expenditure by and under the direction of the Commissioner of Indian Affairs.

Expenditure under direction of Commissioner of Indian Affairs.

EDUCATION

Education.

Support of schools.

For the support of Indian day and industrial schools not otherwise provided for, and other educational and industrial purposes in connection therewith, $3,528,500: *Provided*, That not to exceed $10,000 of this appropriation may be used for the support and education of deaf and dumb or blind or mentally deficient Indian children: *Provided further*, That $15,000 of this appropriation may be used for the education and civilization of the Alabama and Coushatta Indians in Texas: *Provided further*, That not more than $475,000 of the amount herein appropriated may be expended for the tuition of Indian children enrolled in the public schools under such rules and regulations as the Secretary of the Interior may prescribe, but formal contracts shall not be required, for compliance with section 3744 of the Revised Statutes (U. S. C., title 41, sec. 16), for payment of tuition of Indian children in public schools or of Indian children in schools for the deaf and dumb, blind, or mentally deficient: *Provided further*, That not less than $6,500 of the amount herein appropriated shall be available only for purchase of library books: *And provided further*, That not to exceed $10,000 of the amount herein appropriated shall be available for educating Indian youth in stock raising at the United States Range Livestock Experiment Station at Miles City, Montana.

Provisos.
Deaf and dumb, blind, etc.

Alabamas and Coushattas.

Tuition of Indian children in public schools.

No formal contracts.
R. S., sec. 3744, p. 738.
U. S. C., p. 1310.

Library books.

Stock raising.
Education in, at Miles City, Mont.

For the support of Indian day and industrial schools, and other educational and industrial purposes in connection therewith, other than among the Five Civilized Tribes, there shall be expended from Indian tribal funds and from school revenues arising under the Act of May 17, 1926 (U. S. C., Supp. III, Title 25, sec. 155a), not more than $760,000, including not to exceed $20,000 from trust funds of the Red Lake Indians for partial support of schools on the Red Lake Reservation: *Provided*, That not more than $7,500 of the above authorization of $760,000 shall be expended for new construction at any one school unless herein expressly authorized; for tuition and other educational purposes among the Five Civilized Tribes, there may be expended from tribal funds of such nations $77,000 as follows: Chickasaw Nation, $22,000; Choctaw Nation, $55,000: *Provided*, That the balance remaining to the credit of the Cherokee Nation, and any additional amount placed to the credit of the Cherokee Nation, on or before

Support of schools from tribal funds, etc.

44 Stat., 560, vol. 4, 548.
U. S. C., Supp. IV, 318.

Red Lake, Minn., schools.
Provisos.
New construction limited.

Five Civilized Tribes.
Schools of, from tribal funds.

June 30, 1931, not to exceed $500, is authorized to be expended in the purchase of additional land for the Sequoyah Orphan Training School; for payment of tuition for Chippewa Indian children enrolled in the public schools of the State of Minnesota, $38,000 payable from the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota arising under section 7 of the Act of January 14, 1889 (25 Stat., p. 645); for aid of the public schools in Uintah and Duchesne County school districts, Utah, $6,000, to be paid from the tribal funds of the Confederated Bands of Ute Indians and to be expended under such rules and regulations as may be prescribed by the Secretary of the Interior: *Provided*, That Indian children shall at all times be admitted to such schools on an entire equality with white children; in all, $881,000.

Additional land for Sequoyah School.
Chippewas in Minnesota.
Tuition in public schools.

25 Stat., 645, vol. 1, 305.
Uintah and Duchesne Counties, Utah.
Aid to schools in.

Equality with white children.

For subsistence of pupils retained in Government boarding schools of all classes during summer months, $105,000.

Summer schools.
Subsistence.

For collection and transportation of pupils to and from Indian and public schools, and for placing school pupils, with the consent of their parents, under the care and control of white families qualified to give them moral, industrial, and educational training, $100,000.

School transportation, etc.

For lease, purchase, repair, and improvement of buildings at Indian day and industrial schools not otherwise provided for, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $325,000; for construction of physical improvements, $490,000; in all, $815,000: *Provided*, That not more than $7,500 out of this appropriation shall be expended for new construction at any one school or institution except for new construction authorized, as follows: Turtle Mountain, North Dakota, employees' quarters, $35,000; Fort Apache, Arizona, girls' dormitory, $45,000; addition to school building, $8,000; in all, $53,000; Blackfeet, Montana, employees' quarters, $10,000; completing Blackfeet boarding school, $15,000, authorized by the Act approved May 15, 1930; Warm Springs, Oregon, boys' dormitory, $65,000; girls' dormitory, $65,000; in all, $130,000; Fort Peck, Montana, employees' quarters, $15,000; Southern Navajo, Arizona, six cottages for employees, $21,000; Shoshone, Wyoming, girls' dormitory, including equipment, $50,000; Southern Pueblos, New Mexico, Paraje day school plant, $10,000; Quapaw, Oklahoma, laundry and bakery, $20,000; Eastern Navajo, New Mexico, water development, $35,000; San Carlos, Arizona, employees' building, $25,000; Navajo Reservation, two day school plants, $35,000.

School buildings.
Lease, repair, construction, etc.

Proviso.
New construction limited.
Exceptions.

Pawnee, Oklahoma: For school building, auditorium, and gymnasium, including equipment, $60,000; for heating plant, $20,000; for converting present school building into dormitory, $5,000; in all, $85,000.

Pawnee, Okla.
Construction, etc.

For repair, improvement, replacement, or construction of additional public-school buildings within Indian reservations in Arizona, attended by children of the Indian Service, to be equipped and maintained by the State of Arizona, $6,500.

Indian reservations in Arizona.
Repairs, etc., to buildings in, maintained by the State.

For support and education of Indian pupils at the following nonreservation boarding schools in not to exceed the following amounts, respectively:

Support, etc., of designated boarding schools.

Phoenix, Arizona: For nine hundred pupils, including not to exceed $1,500 for printing and issuing school paper, $301,250; for pay of superintendent, drayage, and general repairs and improvements, $28,000; for quarters for employees, including equipment, $15,000; in all, $344,250.

Phoenix, Ariz.

Truxton Canyon, Arizona: For two hundred and fifteen pupils, $69,225; for pay of superintendent, drayage, and general repairs and improvements, $18,000; in all, $87,225; Truxton Canyon, Ariz.

Theodore Roosevelt Indian School, Fort Apache, Arizona: Four hundred and twenty-five pupils, $135,875; for pay of superintendent, drayage, and general repairs and improvements, $23,000; for boys' dormitory, including equipment, $100,000; for septic tank, and improvement of sewer and water system, $12,500; in all, $271,375: *Provided*, That the unexpended balance of the appropriation contained in the Second Deficiency Appropriation Act, fiscal year 1930, for the construction of a girls' dormitory, including equipment, is hereby continued available until June 30, 1932; Theodore Roosevelt, Fort Apache, Ariz.

Proviso.
Balance, for dormitory continued available.
46 Stat., 876; ante, 183.

Sherman Institute, Riverside, California: For one thousand pupils, including not to exceed $1,000 for printing and issuing school paper, $342,500; for pay of superintendent, drayage, and general repairs and improvements, $20,000; for construction of employees' quarters, $8,000; in all, $370,500; Sherman Institute, Riverside, Calif.

Haskell Institute, Lawrence, Kansas: For nine hundred pupils, including not to exceed $2,500 for printing and issuing school paper, $312,500; for pay of superintendent, drayage, and general repairs and improvements, including necessary drainage work, $30,000; for auditorium, including equipment, $65,000; for employees' building, including equipment, $40,000; for repairs to streets, driveways, and sidewalks, $15,000; in all, $462,500; Haskell Institute, Lawrence, Kans.

Mount Pleasant, Michigan: For three hundred and seventy-five pupils, $125,625; for pay of superintendent, drayage, and general repairs and improvements, $17,000; for auditorium, including equipment, $30,000; for remodeling school building, $8,000; in all, $180,625; Mount Pleasant, Mich.

Pipestone, Minnesota: For three hundred and fifteen pupils, $104,725; for pay of superintendent, drayage, and general repairs and improvements $18,000; for enlarging dining room, kitchen, and bakery, including equipment, $20,000; for construction of a bridge within the school grounds, $8,000, on condition that the city of Pipestone shall, before any money is spent hereunder, agree in writing to maintain the bridge and approaches without expense to the United States; in all, $150,725; Pipestone, Minn.

Genoa, Nebraska: For five hundred pupils, including not more than $400 for printing and issuing school paper, $170,000; for pay of superintendent, drayage, and general repairs and improvements, $18,000; for two employees' cottages, $7,000; in all, $195,000; Genoa, Nebr.

Carson City, Nevada: For five hundred pupils, $167,500; for pay of superintendent, drayage, and general repairs and improvements, $15,000; for new boilers and heating equipment, $10,000; for home economics building, including equipment, $20,000; in all, $212,500; Carson City, Nev.

Albuquerque, New Mexico: For eight hundred and fifty pupils, $295,000; for pay of superintendent, drayage, and general repairs and improvements, $25,000; in all, $320,000; Albuquerque, N. Mex.

Santa Fe, New Mexico: For five hundred pupils, $170,500; for pay of superintendent, drayage, and general repairs and improvements, $15,000; for girls' dormitory, including equipment, $40,000; for shop building, including equipment, $25,000; in all, $250,500; Santa Fe, N. Mex.

Charles H. Burke School, Fort Wingate, New Mexico: For six hundred and twenty-five pupils, $200,000; for pay of superintendent, drayage, and general repairs and improvements, including fencing of school land, $23,000; in all, $223,000; Charles H. Burke, Fort Wingate, N. Mex.

Cherokee, North Carolina: For three hundred and seventy-five pupils, $121,875; for pay of superintendent, drayage, and general Cherokee, N. C.

repairs and improvements, $15,000; for central heating plant, laundry and equipment, $60,000; in all, $196,875;

Bismarck, N. Dak.

Bismarck, North Dakota: For one hundred and twenty-five pupils, $45,125; for pay of superintendent, drayage, and general repairs and improvements, $7,000; in all, $52,125;

Fort Totten, N. Dak.

Fort Totten, North Dakota: For two hundred and sixty-five pupils, $85,725; for pay of superintendent, drayage, and general repairs and improvements, $20,000; for reconditioning heating system, $50,000; in all, $155,725;

Wahpeton, N. Dak.

Wahpeton, North Dakota: For three hundred and twenty-five pupils, $106,125; for pay of superintendent, drayage, and general repairs and improvements, including construction of poultry houses, piggery, and dairy barn, $22,000; for shop building, including equipment, $25,000; in all, $153,125: *Provided*, That the unexpended balance of the appropriation for the purchase of land contained in the Interior Department Appropriation Act for the fiscal year 1930 is hereby continued available until June 30, 1932;

Proviso.
Balance available.
46 Stat., 296; ante, 159.

Chilocco, Okla.

Chilocco, Oklahoma: For nine hundred pupils, including not to exceed $2,000 for printing and issuing school paper, $305,000; for pay of superintendent, drayage, and general repairs and improvements, $22,000; for boys' dormitory, including equipment, $90,000; for quarters for employees, $10,000; in all, $427,000: *Provided*, That the unexpended balance of the appropriation of $80,000 for girls' dormitory, including equipment, fiscal year 1931, is hereby continued available until June 30, 1932;

Proviso.
Balance available.
46 Stat., 296; ante, 159.

Sequoyah Orphan Training, Tablequah, Okla.

Sequoyah Orphan Training School, near Tahlequah, Oklahoma: For three hundred and twenty-five orphan Indian children of the State of Oklahoma belonging to the restricted class, to be conducted as an industrial school under the direction of the Secretary of the Interior, $111,125; for pay of superintendent, drayage, and general repairs and improvements, $12,000; for gymnasium, including equipment, $40,000; for employee's cottage, $3,000; for domestic science building, including equipment, $15,000; for central heating plant, $66,000, together with any funds available for heating equipment in construction item for this institution for the fiscal years 1931 and 1932; in all, $247,125;

Carter Seminary, Okla.

Carter Seminary, Oklahoma: For one hundred and sixty pupils, $58,200; for pay of superintendent, drayage, and general repairs and improvements, $6,000; in all, $64,200;

Euchee, Okla.

Euchee, Oklahoma: For one hundred and fifteen pupils, $41,275; for pay of superintendent, drayage, and general repairs and improvements, $8,000; in all, $49,275;

Eufaula, Okla.

Eufaula, Oklahoma: For one hundred and twenty-five pupils, $44,875; for pay of superintendent, drayage, and general repairs and improvements, $7,000; in all, $51,875;

Jones Academy, Okla.

Jones Academy, Oklahoma: For one hundred and sixty pupils, $58,200; for pay of superintendent, drayage, and general repairs and improvements, $7,000; for shop building and equipment, $10,000; in all, $75,200;

Wheelock Academy, Okla.

Wheelock Academy, Oklahoma: For one hundred and twenty pupils, $42,900; for pay of superintendent, drayage, and general repairs and improvements, $7,000; in all, $49,900;

Chemawa, Salem, Oreg.

Chemawa, Salem, Oregon: For seven hundred and fifty pupils, including native Indian pupils brought from Alaska, and including not to exceed $1,000 for printing and issuing school paper, $258,750; for conducting extension work and short courses for adult Indians, the unexpended balance of the appropriation of $5,000 for this purpose for the fiscal year 1931 is hereby continued available until June 30,

Balance available.
46 Stat., 297; ante, 160.

1932; for pay of superintendent, drayage, and general repairs and improvements, $20,000; in all, $278,750: *Provided*, That except upon the individual order of the Secretary of the Interior no part of this appropriation shall be used for the support or education at said school of any native pupil brought from Alaska after January 1, 1925;

Proviso.
Restriction on Alaska natives.

Flandreau, South Dakota: For four hundred and twenty-five pupils, $153,375; for pay of superintendent, drayage, and general repairs and improvements, including remodeling of superintendent's residence, $20,000; for quarters for employees, $10,000; for shop building, including equipment, $25,000; in all, $208,375;

Flandreau, S. Dak.

Pierre, South Dakota: For three hundred and twenty-five pupils, $108,625; for pay of superintendent, drayage, and general repairs and improvements, $18,000; for central heating plant, $55,000; in all, $181,625: *Provided*, That the appropriation contained in the Interior Department Appropriation Act for the fiscal year 1931 for new school building, auditorium, and gymnasium, including equipment, is hereby continued available until June 30, 1932;

Pierre, S. Dak.

Proviso.
Amount for construction continued.
46 Stat., 297; ante, 160.

Rapid City, South Dakota: For three hundred pupils, $102,000; for pay of superintendent, drayage, and general repairs and improvements, including improvement of water supply, $20,000; for repairs and improvements to employees' club building, $7,500; in all, $129,500;

Rapid City, S. Dak.

Hayward, Wisconsin: For one hundred and seventy pupils, $58,650; for pay of superintendent, drayage, and general repairs and improvements, including an employee's cottage, $10,000; for auditorium and gymnasium, including equipment, $40,000; for home economics building, including equipment, $7,500; in all, $116,150;

Hayward, Wis.

Tomah, Wisconsin: For three hundred and fifty pupils, $116,500; for pay of superintendent, drayage, and general repairs and improvements, $18,000; for shop building, including equipment, $18,000; in all, $152,500;

Tomah, Wis.

In all, for above-named nonreservation boarding schools, not to exceed $5,500,000, together with $25,000 of the unexpended balance of the appropriations for support, and for pay of superintendent, drayage, and general repairs and improvements, for the Fort Bidwell School, California, for the fiscal year 1931, which is hereby reappropriated for this purpose: *Provided*, That not less than $6,000 of this amount shall be available only for purchase of library books: *Provided further*, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures for similar purposes in the various boarding schools named, but not more than 10 per centum shall be added to the amount appropriated for any one of said boarding schools or for any particular item within any boarding school. Any such interchanges shall be reported to Congress in the annual Budget.

Nonreservation boarding schools.
Support, etc.
Balance reappropriated.
46 Stat., 295; ante, 159.

Provisos.
Amount for library books.
Sums interchangeable for physical improvements.

Report to Congress.

For support of a school or schools for the Chippewas of the Mississippi in Minnesota (article 3, treaty of March 19, 1867), $4,000.

Chippewas of the Mississippi.
Schools for.
16 Stat., 726, vol. 2, 975.

For aid to the common schools in the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Nations and the Quapaw Agency in Oklahoma, $400,000, to be expended in the discretion of the Secretary of the Interior and under rules and regulations to be prescribed by him: *Provided*, That this appropriation shall not be subject to the limitation in section 1 of the Act of May 25, 1918 (U. S. C., title 25, sec. 297), limiting the expenditure of money to educate children of less than one-fourth Indian blood: *Provided further*, That of this appropriation not to exceed $2,500 may be expended in the printing and issuance of a paper devoted to Indian education, which paper shall be printed at an Indian school, not to exceed $10,000 may be expended under rules and regulations of the Secretary of the Interior.

Five Civilized Tribes.
Common schools.

Provisos.
Parentage limitation not applicable.
40 Stat., 564, vol. 4, 149.
U. S. C., p. 708.

Printing, etc., school paper.

Payment of truancy officers.

in part payment of truancy officers in any county or two or more contiguous counties where there are five hundred or more Indian children eligible to attend school and not to exceed $10,000 may be expended in the discretion of the Secretary of the Interior for the payment of salaries of public school teachers employed by the State or county in special Indian day schools in full blood Indian communities where there are not adequate white day schools available for their attendance.

Full blood Indian communities.

Sioux Indians, S. Dak.
Day and industrial schools for.
19 Stat., 254, vol. 1, 168.

For support and maintenance of day and industrial schools among the Sioux Indians, including the erection and repairs of school buildings, in accordance with the provisions of article 5 of the agreement made and entered into September 26, 1876, and ratified February 28, 1877 (19 Stat., p. 254), $400,000.

Alaska natives.

Natives in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for support and education of the Eskimos, Aleuts, Indians, and other natives of Alaska, including necessary traveling expenses of pupils to and from industrial boarding schools in Alaska; erection, purchase, repair, and rental of school buildings; textbooks and industrial apparatus; pay and necessary traveling expenses of superintendents, teachers, physicians, and other employees; repair, equipment, maintenance, and operation of the United States ship Boxer; and all other necessary miscellaneous expenses which are not included under the above special heads, including

Specific allotments.

$350,000 for salaries in the District of Columbia and elsewhere, $24,000 for traveling expenses, $170,000 for equipment, supplies, fuel, and light, $25,000 for repairs of buildings, $146,000 for purchase or erection of buildings, $76,000 for freight, including operation of United States ship Boxer, $4,500 for equipment and repairs to United States ship Boxer, $1,500 for rentals, and $2,000 for telephone and telegraph; total $799,000, to be immediately available: *Provided*, That not to exceed 10 per centum of the amounts appropriated for the various items in this paragraph shall be available interchangeably for expenditures on the objects included in this paragraph, but no more than 10 per centum shall be added to any one item of appropriation except in cases of extraordinary emergency and then only upon the written order of the Secretary of the Interior: *Provided further*, That of said sum not exceeding $10,000 may be expended for personal services in the District of Columbia.

Provisos.

Interchangeable sums.

Amount for services in the District.

Shoemaker Bay, Alaska.
Boarding school for natives.

For completing the construction at Shoemaker Bay, Alaska, of the necessary buildings for the establishment of an industrial boarding school for natives in Alaska, $100,000.

Conservation of health.

CONSERVATION OF HEALTH

Expenses designated.

For conservation of health among Indians, including equipment, materials, and supplies; repairs and improvements to buildings and plants; compensation and traveling expenses of officers and employees and renting of quarters for them when necessary; transportation of patients and attendants to and from hospitals and sanatoria; returning to their former homes and interring the remains of deceased patients; not to exceed $100,000 for construction of employees' quarters, other than those named herein; and not exceeding $1,000 for printing and binding circulars and pamphlets for use in preventing and suppressing trachoma and other contagious and infectious diseases, $4,050,000, including not to exceed the sum of $2,282,000 for the following-named hospitals and sanatoria:

Suppressing trachoma, etc.
Allotments for specified hospitals and sanatoria.

Arizona.

Arizona: Indian Oasis Hospital, $23,000; Kayenta Tuberculosis Sanatorium, $45,000; Fort Defiance Sanatorium and Southern Navajo

General Hospital, $105,000; Phoenix Sanatorium, $75,000; Pima Hospital, $23,000; Truxton Canyon Hospital, $9,000; Western Navajo Hospital, $35,000; Chin Lee Hospital, $10,000; Fort Apache Hospital, $27,000; Havasupai Hospital, $5,000; Hopi Hospital, $40,000; Leupp Hospital, $26,000; San Carlos Hospital, $18,000; Tohatchi Hospital, $10,000; Colorado River Hospital, $23,000; San Xavier Sanatorium, $37,500; Phoenix Hospital, $30,000;

California: Hoopa Valley Hospital, $20,000; Soboba Hospital, $20,000; Fort Bidwell Hospital, $13,000; Fort Yuma Hospital, $14,000; California.

Idaho: Fort Lapwai Sanatorium, $85,000; Fort Hall Hospitals, $15,000; Idaho.

Iowa: Sac and Fox Sanatorium, $70,000; Iowa.

Minnesota: Pipestone Hospital, $20,000; Minnesota.

Mississippi: Choctaw Hospital, $27,000; for construction and equipment of nurses' quarters, $8,000; in all, $35,000; Mississippi.

Montana: Blackfeet Hospital, $25,000; Fort Peck Hospital, $22,000; Crow Agency Hospital, $24,000; Fort Belknap Hospital, $30,000; Tongue River Hospital, $30,000; Montana.

Nebraska: Winnebago Hospital, $32,000; Nebraska.

Nevada: Carson Hospital, $20,000; Pyramid Lake Sanatorium, $35,000; and the appropriation of $10,000 for the fiscal year 1931 for construction and equipment of employees' quarters, is hereby reappropriated and made available for the construction and equipment of a physician's cottage and the repair and equipment of employees' quarters; Walker River Hospital, $21,000; Nevada. 46 Stat., 299; ante, 162.

New Mexico: Jicarilla Hospital, and Sanatorium, $60,000; Laguna Sanatorium, $30,000; Mescalero Hospital, $20,000; Eastern Navajo Hospital, $15,000; for employees' quarters, including equipment, $18,000; in all, $33,000; Northern Navajo Hospital, $28,000; Taos Hospital, $9,000; Zuni Sanatorium, $55,000; Albuquerque Hospital, $50,000; Charles H. Burke Hospital, $8,000; Santa Fe Hospital, $40,000; Toadlena Hospital, $10,000; New Mexico.

North Carolina: Cherokee Hospital, $8,000; North Carolina.

North Dakota: Turtle Mountain Hospital, $35,000; Fort Berthold Hospital, $21,500; Fort Totten Hospital, $26,000; Standing Rock Hospital, $25,000; North Dakota.

Oklahoma: Cheyenne and Arapahoe Hospital, $35,000; for construction and equipment of warehouse and laundry, $15,000; in all, $50,000; Choctaw and Chickasaw Sanatorium, $55,000; Shawnee Sanatorium, $80,000; Claremore Hospital, $30,000; for construction and equipment of employees' quarters, $18,000; in all, $48,000; Seger Hospital, $20,000; Pawnee and Ponca Hospital, $30,000; Kiowa Hospital, $70,000; Oklahoma.

South Dakota: Crow Creek Hospital, $22,000; Pine Ridge Hospitals, $43,000; Rosebud Hospital, $27,000; South Dakota.

Washington: Yakima Sanatorium, $43,000; Tacoma Sanatorium, $200,000; Tulalip Hospital, $8,000; Washington.

Wisconsin: Hayward Hospital, $30,000; Tomah Hospital, $25,000; Wisconsin.

Provided, That nonreservation boarding schools receiving specific appropriations shall contribute on a per diem basis for the hospitalization of pupils in hospitals located at such schools and supported from this appropriation; *Provisos.* Hospitalization of pupils.

Provided further, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures in the various hospitals named, but not more than 10 per centum shall be added to the amount appropriated for any one of said hospitals or for any particular item within any hospital, and any interchange of appro- Interchangeable expenditures.

Report to Congress.

priations hereunder shall be reported to Congress in the Annual Budget;

Construction, etc., of hospitals.

Provided further, That this appropriation shall be available for construction of hospitals and sanatoria, including equipment, as follows: Albuquerque Sanatorium, and employees' quarters, New Mexico, $375,000; Sioux Sanatorium, and employees' quarters, Pierre, South Dakota, $375,000; Ignacio Hospital, Colorado, $75,000; in all, $825,000: *Provided further*, That appropriations contained in the Interior Department Appropriation Act, fiscal year 1931, and the Second Deficiency Act, fiscal year 1930, for construction and equipment of hospitals are continued available until June 30, 1932: *Provided further*, That appropriations contained in the Interior Department Appropriation Act for the fiscal year 1931 and the Second Deficiency Act, fiscal year 1930, for the construction and equipment of the Seger Hospital and employees' quarters, Oklahoma, are hereby reappropriated and made available for construction and equipment of a hospital and employees' quarters at Clinton, Oklahoma.

Other funds available.
46 Stat., 299, 877; ante, 162, 183.

Seger Hospital.
Continuing construction, etc.
46 Stat., 300, 877; ante, 163, 183.

Clinical survey of disease conditions.

For a clinical survey of tuberculosis, trachoma, and venereal and other disease conditions among Indians, $75,000: *Provided*, That in conducting such survey the cooperation of such State and other organizations engaged in similar work shall be enlisted wherever practicable and where services of physicians, nurses, or other persons are donated their travel and other expenses may be paid from this appropriation.

Proviso.
Local cooperation.

Chippewas in Minnesota.
Hospitals for, from tribal funds.
25 Stat., 645, vol. 1, 305.

For support of hospitals maintained for the benefit of the Chippewa Indians in the State of Minnesota, $100,000, payable from the principal sum on deposit to the credit of said Indians arising under section 7 of the Act of January 14, 1889 (25 Stat., p. 645).

Health work.
From trust funds.

There shall be available for health work among the several tribes of Indians not exceeding $275,000 of the tribal trust funds authorized elsewhere in this Act for support of Indians and administration of Indian property: *Provided*, That not more than $7,500 of such amount may be expended for new construction in connection with health activities at any one place.

Proviso.
New construction limited.

Canton, S. Dak.
Insane asylum, expenses.

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, repairs, improvements, and for necessary expense of transporting insane Indians to and from said asylum, $50,000.

Medical relief in Alaska.

Medical relief in Alaska: To enable the Secretary of the Interior, in his discretion, and under his direction through the Bureau of Indian Affairs, with the advice and cooperation of the Public Health Service, to provide for the medical and sanitary relief of the Eskimos, Aleuts, Indians, and other natives of Alaska; erection, purchase, repair, rental, and equipment of hospital buildings; books and surgical apparatus; pay and necessary traveling expenses of physicians, nurses, and other employees, and all other necessary miscellaneous expenses which are not included under the above special heads, $319,000, to be available immediately.

Support and administration.

GENERAL SUPPORT AND ADMINISTRATION

Expenses, for sundry agencies and reservations.

For general support of Indians and administration of Indian property, including pay of employees, $1,275,000, including not exceeding $160,000 for relief, to be immediately available; and including not exceeding $88,520 for the purpose of discharging obligations of the

United States under treaties and agreements with various tribes and bands of Indians as follows: Coeur d'Alenes, Idaho (article 11, agreement of March 3, 1891), $3,960; Bannocks, Idaho (article 10, treaty of July 3, 1868), $7,700; Crows, Montana (articles 8 and 10, treaty of May 7, 1868), $7,660; Quapaws, Oklahoma (article 3, treaty of May 13, 1833), $2,280; Confederated Bands of Utes (articles 9, 12, and 15, treaty of March 2, 1868), $57,480; Spokanes, Washington (article 6, agreement of March 18, 1887), $1,320; Shoshones, Wyoming (articles 8 and 10, treaty of July 3, 1868), $8,120.

Fulfilling treaties, etc.
Coeur d'Alenes, Idaho.
26 Stat., 1029.
(For citations to Compilation vol., see ante, 28.
Bannocks, Idaho.
15 Stat., 696.
Crows, Mont.
15 Stat., 652.
Quapaws, Okla.
7 Stat., 425.
Utes, Confederated Bands.
15 Stat., 622.
Spokanes, Wash.
27 Stat., 139.
Shoshones, Wyo.
15 Stat., 675, 676.

Fulfilling treaties with Indians: For the purpose of discharging obligations of the United States under treaties and agreements with various tribes and bands of Indians as follows:

Northern Cheyennes and Arapahoes, Montana (article 7, treaty of May 10, 1868, and agreement of February 28, 1877), $75,000;

Pawnees, Oklahoma (articles 3 and 4, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), $51,300;

Sioux of different tribes, including Santee Sioux of Nebraska, North Dakota, and South Dakota (articles 8 and 13, treaty of April 29, 1868, 15 Stat., p. 635, and Act of February 28, 1877, 19 Stat., p. 254), $445,000;

Fulfilling treaties.
Northern Cheyennes and Arapahoes, Mont.
19 Stat., 256.
Pawnees, Okla.
11 Stat., 731; 27 Stat., 644.
Sioux, different tribes.
15 Stat., 640; 19 Stat., 256.

In all, for said treaty stipulations, not to exceed $571,300.

Quapaw Agency.
Administering property of Indians under.
41 Stat., 415.
U. S. C., p. 720.

For expenses incident to the administration of the restricted or trust property of Indians under the Quapaw Indian Agency, $20,000, reimbursable to the United States, as provided in the Act of February 14, 1920 (U. S. C., title 25, sec. 413).

Fort Bidwell School Reserve, Calif.

Not to exceed $10,000 of the appropriation contained in the Interior Department Appropriation Act for the fiscal year 1931 for the support of the Fort Bidwell Indian School, California, is hereby made immediately available for surveying, plotting, grading, and preparation for an Indian colony on the Fort Bidwell School Reserve, and for fencing, and installation of sewer and water systems, including supervisory and other skilled labor and purchase of necessary materials and supplies.

Surveying, etc., for Indian colony.

Sums available.

46 Stat., 295; ante, 158.

For general support of Indians and administration of Indian property under the jurisdiction of the following agencies, to be paid from the funds held by the United States in trust for the respective tribes, in not to exceed the following sums, respectively:

General support, etc. at specified agencies, from tribal funds.

Arizona: Colorado River, $2,500; Fort Apache, $143,900, of which $18,000 may be used for construction and repair of telephone lines; Leupp, $2,000; Paiute, $7,500; Pima, $3,000; Salt River, $1,000; San Carlos, $107,000, of which $7,000 may be used for construction and repair of telephone lines; Truxton Canyon, $35,500; in all, $302,400;

Arizona.

California: Fort Yuma, $3,000; Mission, $500; Round Valley, $5,000; Tule River, $500; in all, $9,000;

California.

Colorado: Consolidated Ute (Southern Ute, $20,000; Ute Mountain, $15,000); in all, $35,000;

Colorado.

Idaho: Fort Hall, $37,500, including $10,000 for the eradication of noxious weeds on unleased Indian lands; Fort Lapwai, $16,100; in all, $53,600;

Idaho.

Iowa: Sac and Fox, $4,500, to be immediately available;

Iowa.

Kansas: Pottawatomie, $3,000;

Kansas.

Michigan: Mackinac, $200;

Michigan.

Minnesota: Red Lake, $62,700;

Minnesota.

Montana: Blackfeet, $5,000; Flathead, $50,400; Fort Peck, $20,100; Tongue River, $15,100; Rocky Boy, $3,000; in all, $93,600;

Montana.

Nebraska.

Nebraska: Omaha, $1,000;

Nevada.

Nevada: Carson (Pyramid Lake), $5,000; Walker River, $400; Western Shoshone, $15,200; in all, $20,600;

New Mexico.

New Mexico: Jicarilla, $60,000; Mescalero, $55,000; in all, $115,000;

North Dakota.

North Dakota: Fort Berthold, $1,000;

Oklahoma.

Oklahoma: Pawnee (Otoe, $1,200; Ponca, $2,700), $3,900; Sac and Fox, $3,100; Kiowa, Comanche, and Apache, $51,000; Cheyennes and Arapahoes, $2,500; in all, $60,500;

Oregon.

Oregon: Klamath, $136,000; Umatilla, $9,100; Warm Springs, $15,000; in all, $160,100;

South Dakota.

South Dakota: Cheyenne River, $90,300; Pine Ridge, $7,000; Lower Brule, $2,000; in all, $99,300;

Utah.
Proviso.
State Experimental Farm.

Utah: Uintah and Ouray, $15,000: *Provided*, That not to exceed $500 of this amount may be used to pay part of the expenses of the State Experimental Farm, located near Fort Duchesne, Utah, within the Uintah and Ouray Indian Reservation;

Washington.

Washington: Colville, $40,500; Neah Bay, $7,500; Puyallup, $4,000, of which $1,000 shall be available for the upkeep of the Puyallup Indian cemetery; Spokane, $15,000; Taholah (Quinaielt), $10,000; Yakima, $38,300; in all, $115,300;

Wisconsin.

Wisconsin: Lac du Flambeau, $2,000; Keshena, $70,800, including $5,000 for monthly allowances, under such rules and regulations as the Secretary of the Interior may prescribe, to such old and indigent members of the Menominee Tribe as it is impracticable to place in the home for old and indigent Menominee Indians, and who reside with relatives or friends; in all, $72,800;

Wyoming.

Wyoming: Shoshone, $74,100;

In all, not to exceed $1,298,700.

Chippewas in Minnesota.
General support, administering property, etc.
25 Stat., 645, vol. 1, 305.

For general support, administration of property, and promotion of self-support among the Chippewa Indians in the State of Minnesota, $100,900, to be paid from the principal sum on deposit to the credit of said Indians, arising under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota," approved January 14, 1889 (25 Stat., p. 645),

Purposes specified.

to be used exclusively for the purposes following: Not exceeding $60,900 of this amount may be expended for general agency purposes; not exceeding $40,000, of which $10,000 shall be immediately available, may be expended in the discretion of the Secretary of the Interior

Aiding indigent Chippewas.

in aiding indigent Chippewa Indians upon the condition that any funds used in support of a member of the tribe shall be reimbursed out of and become a lien against any individual property of which such member may now or hereafter become seized or possessed, the two preceding requirements not to apply to any old, infirm, or indigent Indian, in the discretion of the Secretary of the Interior.

Five Civilized Tribes.
Apportionment of allotments.

For the current fiscal year money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized

Specified salaries.

by law to individual members of the respective tribes, salaries and contingent expenses of the governor of the Chickasaw Nation and chief of the Choctaw Nation and one mining trustee for the Choctaw and Chickasaw Nations at salaries at the rate heretofore paid for the said governor and said chief and $4,000 for the said mining trustee, and the chief of the Creek Nation at a salary not to exceed $600 per annum, and one attorney each for the Choctaw and Chickasaw Tribes employed under contract approved by the President under existing

Proviso.
Pay restrictions.

law: *Provided*, That the expenses of the above-named officials shall be determined and limited by the Commissioner of Indian Affairs, not to exceed $2,500 each.

There is hereby authorized to be expended, out of any money now standing to the credit of the Creek Nation of Indians in the Treasury of the United States, the sum of not exceeding $1,500 to be, by the Secretary of the Interior, paid out in his discretion to attorneys for the Creek Nation of Indians employed under the authority of the Act of Congress approved May 24, 1924 (43 Stat., p. 139), the payments to be made in such sums as may be necessary to reimburse the attorneys for such proper and necesssary expenses as may have been incurred or may be incurred in the investigation of records and preparation, institution, and prosecution of suits of the Creek Nation of Indians against the United States under the above-mentioned Act of May 24, 1924: *Provided*, However, That the claims of the attorneys shall be filed by said attorneys with the Secretary of the Interior and shall be accompanied by the attorneys' itemized and verified statement of the expenditures for expenses and by proper vouchers, and that the claims so submitted shall be subject to the approval of the Secretary of the Interior: *And provided further*, That any sums allowed and paid under this Act to the attorneys shall be reimbursable to the credit of the Creek Nation out of any amount or amounts which may hereafter be decreed by the Court of Claims to said attorneys for their services and expenses in connection with the Creek tribal claims and suits under the above-mentioned Act of May 24, 1924.[1]

Creeks.
Expenses of attorneys, from tribal funds.
43 Stat., 139; vol. 4, 416. 45 Stat., 944.
Ante, 64.

Provisos.
Statement of expenses subject to approval of Secretary of the Interior.

Sums reimbursable from award by Court of Claims.

There is hereby authorized to be expended, out of any money now standing to the credit of the Seminole Nation of Indians in the Treasury of the United States, the sum of not exceeding $5,000 to be paid, in the discretion of the Secretary of the Interior, to attorneys for said Seminole Nation of Indians employed under the authority of the Act of Congress approved May 20, 1924 (43 Stat., pp. 133–134), the payments to be made in such sums as may be necessary to reimburse the attorneys for such proper and necessary expenses as may have been incurred or may be incurred in the investigation of records and preparation, institution, and prosecution of suits of the Seminole Nation of Indians against the United States under the above-mentioned Act of May 20, 1924: *Provided further*, That the claims of the attorneys shall be filed by said attorneys with the Secretary of the Interior and shall be accompanied by the attorneys' itemized and verified statement of the expenditures for expenses and by proper vouchers, and that the claims so submitted shall be subject to the approval of the Secretary of the Interior: *Provided further*, That any sums allowed and paid under this Act to the attorneys shall be reimbursable to the credit of the Seminole Nation out of any amount or amounts which may hereafter be decreed by the Court of Claims to said attorneys for their services and expenses in connection with the Seminole tribal claims and suits under the above-mentioned Act of May 20, 1924.

Seminoles.
Attorneys for.

43 Stat., 133, vol. 4, 414.

Provisos.
Statement of expenses of, subject to approval of Secretary of the Interior.

Sums reimbursable.

For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage Reservation, Oklahoma, including pay of necessary employees, the tribal attorney and his stenographer, one special attorney in tax and other matters, and pay of tribal officers; repairs to buildings, rent of quarters for employees, traveling expenses, printing, telegraphing and telephoning, and purchase, repair, and operation of automobiles, $259,000, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma.

Osages, Okla.
Agency expenses from trust funds.

For expenses incurred in connection with visits to Washington, District of Columbia, by the Osage Tribal Council and other members of said tribe, when duly authorized or approved by the Secretary of

Visits of tribal council, etc., to Washington, D. C.

[1] 79 Ct. Cls., 778; 87 Ct. Cls., 280.

the Interior, $5,000, to be paid from the funds held by the United States in trust for the Osage Tribe.

Confederated Bands of Utes.
Distribution to, from tribal principal funds.

The sum of $93,000 is hereby appropriated out of the principal funds to the credit of the Confederated Bands of Ute Indians, the sum of $48,000 of said amount for the benefit of the Ute Mountain (formerly Navajo Springs) Band of said Indians in Colorado, and the sum of $45,000 of said amount for the Uintah, White River, and Uncompahgre Bands of Ute Indians in Utah, which sums shall be charged to said bands, and the Secretary of the Interior is also authorized to withdraw from the Treasury the accrued interest to and including June 30, 1931, on the funds of the said Confederated Bands of Ute Indians appropriated under the Act of March 4, 1913 (37 Stat., p. 934), and to expend or distribute the same for the purpose of administering the property of and promoting self-support among the said Indians, under such regulations as the Secretary of the Interior may prescribe: *Provided*, That none of the funds in this paragraph shall be expended on road construction unless preference shall be given to Indians in the employment of labor on all roads constructed from the sums herein appropriated from the funds of the Confederated Bands of Utes.

Self support and administering property. from accrued interest.

37 Stat., 934, vol. 8, 559.

Proviso.
Restriction on road construction.

ROADS AND BRIDGES

Roads and bridges.

Red Lake Reservation, Minn.
Construction, etc., from Chippewa trust funds.

For the construction and repair of roads and bridges on the Red Lake Indian Reservation, including the purchase of material, equipment, and supplies, and the employment of labor, $25,000, to be paid from the funds held by the United States in trust for the Red Lake Band of Chippewa Indians in the State of Minnesota: *Provided*, That Indian labor shall be employed as far as practicable.

Proviso.
Indian labor.

Road construction, non-Federal aided highways.

For the construction, repair, and maintenance of roads on Indian reservations not eligible to Government aid under the Federal Highway Act, including engineering and supervision and the purchase of material, equipment, supplies, and the employment of Indian labor, $500,000, to be immediately available: *Provided*, That where practicable the Secretary of the Interior shall arrange with the local authorities to defray the maintenance expenses of roads constructed hereunder and to cooperate in such construction.

Proviso.
Local contributions.

Gallup - Shiprock Highway, N. Mex.

For maintenance and repair of that portion of the Gallup-Shiprock Highway within the Navajo Reservation, New Mexico, including the purchase of machinery, $20,000: *Provided*, That other than for supervision and engineering only Indian labor shall be employed for such maintenance and repair work.

Proviso.
Indian labor.

ERECTION OF MONUMENTS

Erection of monuments.

Nez Perces.
Site of battle with command of Nelson A. Miles.
46 Stat., 169; ante, 141.

For all necessary expenses in the purchase and erection of a marker or tablet on the site of the battle between the Nez Perces Indians under Chief Joseph, and the command of Nelson A. Miles, as authorized by, and in accordance with, the Act of April 15, 1930 (46 Stat., p. 169), $2,500.

Cheyenne River Sioux.
Memorial to, dying in World War service.

46 Stat., 258; ante, 143.

For the erection of a monument on the Cheyenne River Agency Reserve, South Dakota, in memory of deceased chiefs of the Cheyenne River Sioux Tribe of Indians and men of that tribe who died in service of the United States in the World War, as authorized by, and in accordance with, the Act of April 29, 1930 (46 Stat., p. 258), $1,500.

ANNUITIES AND PER CAPITA PAYMENTS

Annuities, etc.

Senecas, N. Y.
4 Stat., 433.

For fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831, 4 Stat., p. 442), $6,000.

For fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), $4,500.

Six Nations, N. Y.
7 Stat., 46, vol. 2, 34.

For fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty of June 22, 1855), $3,000; for permanent annuity for support of light horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), $600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $320; in all, $10,520.

Choctaws, Okla.
7 Stat., 99, 212, 213, 236, vol. 2, 88, 192, 193, 211, 706.

11 Stat., 614, vol. 2, 709.

To carry out the provisions of the Chippewa treaty of September 30, 1854 (10 Stat., p. 1109), $10,000, in part settlement of the amount, $141,000, found due and heretofore approved for the Saint Croix Chippewa Indians of Wisconsin, whose names appear on the final roll prepared by the Secretary of the Interior pursuant to Act of August 1, 1914 (38 Stat., pp. 582–605), and contained in House Document Numbered 1663, said sum of $10,000 to be expended in the purchase of land or for the benefit of said Indians by the Commissioner of Indian Affairs: *Provided*, That, in the discretion of the Commissioner of Indian Affairs, the per capita share of any of said Indians under this appropriation may be paid in cash.

Saint Croix Chippewas, Wis.
Purchase of land for.
10 Stat., 1109, vol. 2, 648.

38 Stat., 605, vol. 4, 32.

Proviso.
Discretionary cash payments.

Appropriations herein made for road work and other physical improvements in the Indian Service shall be immediately available.

Road, etc., work appropriations immediately available.

When, in the judgment of the Secretary of the Interior, it is necessary for accomplishment of the purposes of appropriations herein made for the Indian field service, such appropriations shall be available for purchase of ice, rubber boots for use of employees, for travel expenses of employees on official business, and for the cost of packing, crating, drayage, and transportation of personal effects of employees upon permanent change of station.

Field Service appropriations.

Available for supplies, travel, etc.

The appropriations for education of natives of Alaska and medical relief in Alaska shall be available for the payment of traveling expenses of new appointees from Seattle, Washington, to their posts of duty in Alaska, and of traveling expenses, packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station within Alaska, under regulations to be prescribed by the Secretary of the Interior.

Education, etc., in Alaska.

Available for traveling, etc., expenses of new appointees, etc.

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GEOLOGICAL SURVEY

Geological Survey.

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GENERAL EXPENSES

General expenses.

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For the enforcement of the provisions of the Acts of October 20, 1914 (U. S. C., title 48, sec. 435), October 2, 1917 (U. S. C., title 30, sec. 141), February 25, 1920 (U. S. C., title 30, sec. 181), and March 4, 1921 (U. S. C., title 48, sec. 444), and other Acts relating to the mining and recovery of minerals on Indian and public lands and naval petroleum reserves; and for every other expense incident thereto, including supplies, equipment, expenses of travel and subsistence, the construction, maintenance, and repair of necessary camp buildings and appurtenances thereto, $270,000, of which amount not

Nonmetallic mineral mining act.
Enforcement of provisions of.
38 Stat., 741.
40 Stat., 297.
41 Stat., 964, 1395, 1396.

to exceed $40,000 may be expended for personal services in the District of Columbia;

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National Park Service.

NATIONAL PARK SERVICE

* * * * * * *

Glacier, Mont.

Glacier National Park, Montana: For administration, protection, and maintenance, including necessary repairs to the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary, including not exceeding $1,300 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $210,000; for construction of physical improvements, $46,500, including not exceeding $19,300 for the construction of buildings, of which not exceeding $3,500 shall be available for a ranger station, $6,600 for four comfort stations, $1,500 for a shelter cabin; in all, $256,500.

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Roads and trails.
Construction of, etc., in parks and monuments.

Special authorizations.

43 Stat., 423, 445.

Contractual obligations.

Proviso.
Services in the District.

Contracts for approved projects deemed Federal obligations.

Construction, and so forth, of roads and trails: For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in national parks and monuments under the jurisdiction of the Department of the Interior, including the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary, and the Grand Canyon Highway from the National Old Trails Highway to the south boundary of the Grand Canyon National Park as authorized by the Act approved June 5, 1924 (43 Stat., p. 423), and including that part of the Wawona Road in the Sierra National Forest between the Yosemite National Park boundary two miles north of Wawona and the park boundary near the Mariposa Grove of Big Trees, and that part of the Yakima Park Highway between the Mount Rainier National Park boundary and connecting with the Cayuse Pass State Highway, to be immediately available and remain available until expended, $5,000,000, which includes $2,500,000, the amount of the contractual authorization contained in the Act making appropriations for the Department of the Interior for the fiscal year 1931, approved May 14, 1930 (46 Stat., p. 319): *Provided*, That not to exceed $20,000 of the amount herein appropriated may be expended for personal services in the District of Columbia during the fiscal year 1932: *Provided further*, That in addition to the amount herein appropriated the Secretary of the Interior may also approve projects, incur obligations, and enter into contracts for additional work not exceeding a total of $2,850,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof and appropriations hereafter made for the construction of roads in national parks and monuments shall be considered available for the purpose of discharging the obligation so created.

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Field work appropriations available for work animals, vehicles, etc.

SEC. 2. Appropriations herein made for field work under the General Land Office, the Bureau of Indian Affairs, the Bureau of Reclamation, the Geological Survey, and the National Park Service shall be available for the hire, with or without personal services, of work animals and animal-drawn and motor-propelled vehicles and equipment.

* * * * * * *

Approved, February 14, 1931.

CHAP. 188.—An Act To authorize the President of the United States to establish the Canyon De Chelly National Monument within the Navajo Indian Reservation, Arizona

February 14, 1931.
[H. R. 15987.]
46 Stat., 1161.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That with the consent of the tribal council of the Navajo Tribe of Indians the President of the United States is hereby authorized to establish by presidential proclamation, the Canyon De Chelly National Monument, within the Navajo Indian Reservation, Arizona, including the lands hereinafter described.

Canyon De Chelly National Monument, Ariz.
Established, within Navajo Indian Reservation, with consent of their council.

Township 4 north, range 7 west, north half section 5, and northeast quarter section 6; township 5 north, range 7 west, south half section 15, section 19, south half section 20, section 21, section 22, south half section 23, north half section 26, north half section 27, north half section 28, sections 29, 30, 31, and 32; township 3 north, range 8 west, section 4, east half section 5; township 4 north, range 8 west, sections 6 and 7, southwest quarter section 17, sections 18 and 19, west half and southeast quarter section 20, sections 29 and 30, north half section 31, sections 32 and 33; township 5 north, range 8 west, section 7, section 13, south half section 14, south half section 15, south half and northwest quarter section 16, sections 17 to 24, inclusive, north half section 25, north half section 26, section 27, north half and southeast quarter section 28, north half section 29, north half section 30 and southwest quarter section 31; township 6 north, range 8 west, north half section 3, sections 4 to 8, inclusive, west half section 18 and northwest quarter section 19; township 7 north, range 8 west, south half section 33, section 34 and west half section 35; township 4 north, range 9 west, sections 1 to 3, inclusive, east half section 4, north half section 10, north half section 11, sections 12 and 13, east half section 24 and east half section 25; township 5 north, range 9 west, sections 4 to 31, inclusive, east half section 33, and sections 34 to 36, inclusive; township 6 north, range 9 west, sections 1 to 3, inclusive, sections 10 to 15, inclusive, sections 21 to 23, inclusive, sections 10 to 15, inclusive, sections 21 to 23, inclusive, north half section 24; north half section 26, sections 27 to 29, inclusive, southeast quarter section 30, and sections 31 to 34, inclusive; township 5 north, range 10 west, sections 1 to 18, inclusive, north half section 22, sections 23 to 25, inclusive, north half section 26, and north half section 36; township 6 north, range 10 west, east half section 34, section 35, and south half section 36, embracing about eighty-three thousand eight hundred and forty acres of unsurveyed land, all west of the Navajo meridian, in Arizona.

Description.

SEC. 2. That nothing herein shall be construed as in any way impairing the right, title, and interest of the Navajo Tribe of Indians which they now have and hold to all lands and minerals, including oil and gas, and the surface use of such lands for agricultural, grazing, and other purposes, except as hereinafter defined; and the said tribe of Indians shall be, and is hereby, granted the preferential right, under regulations to be prescribed by the Secretary of the Interior, of furnishing riding animals for the use of visitors to the monument.

Rights of Indians reserved.

SEC. 3. That the National Park Service, under the direction of the Secretary of the Interior, is hereby charged with the administration of the area of said national monument, so far as it applies to the care, maintenance, preservation and restoration of the prehistoric ruins, or other features of scientific or historical interest within the area, and shall have the right to construct upon the lands such roads, trails, or other structures or improvements as may be necessary in connection with the administration and protection of the monument, and also

Control, etc.

the right to provide facilities of any nature whatsoever required for the care and accommodation of visitors to the monument.

Approved, February 14, 1931.

February 20, 1931.
[S. 5314.]
46 Stat., 1173.

CHAP. 231.—An Act To amend the Federal Highway Act

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Highway Act approved November 9, 1921 (42 Stat. L. 212), as amended or supplemented, be further amended by inserting after section 3 a new section, to be numbered 3a, and to read as follows:

Federal Highway Act.
46 Stat., 805; post, 633.

"SEC. 3a. The Secretary of Agriculture is authorized to cooperate with the State highway departments and with the Department of the Interior in the construction of public highways within Indian reservations, and to pay the amount assumed therefor from the funds allotted or apportioned under this Act to the State wherein the reservation is located."

Cooperative road construction in Indian reservations restored.
42 Stat., 212, amended, vol. 4, 330.

SEC. 2. All Acts or parts of Acts in any way inconsistent with the provisions of this Act are hereby repealed, and this Act shall take effect on its passage.

Inconsistent laws repealed.

Approved, February 20, 1931.

February 21, 1931.
[H. R. 15064.]
46 Stat., 1201.

CHAP. 265.—An Act To reserve four hundred and forty acres of public-domain land for addition to the Temecula or Pechanga Reservation, California

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That four hundred and forty acres of land, described as the northwest quarter northeast quarter, east half northeast quarter, and south half section 36, township 8 south, range 2 west, San Bernardino meridian, California, be, and the same are hereby, withdrawn from the public domain and reserved as an addition to the Temecula or Pechanga Indian Reservation, a trust patent to be issued therefor to the band in accordance with and under authority contained in the Act of January 12, 1891 (26 Stat. 712), as amended by the Act of March 1, 1907 (34 Stat. 1015–1022): *Provided*, That the rights and claims of any bona fide settler initiated under the public land laws prior to September 27, 1930, the date of withdrawal of the land from all form of entry, shall not be affected by this Act.

Temecula or Pechanga Indian Reservation, Calif.
Land added to.

Trust patent to issue.
26 Stat., 712, vol. 1, 383. 34 Stat., 1022, amended, vol. 3, 273.
Proviso.
Rights of bona fide settler not affected.

Approved, February 21, 1931.

February 21, 1931.
[S. 2231.]
46 Stat., 1202.

CHAP. 267.—An Act To reserve certain lands on the public domain in Arizona for the use and benefit of the Papago Indians, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all vacant, unreserved, and undisposed of public lands within townships 11, 12, and 13 south, range 1 east; townships 11 and 12 south, range 2 east; township 11 south, range 3 east; township 11 south, range 4 east; townships 11 and 12 south, range 5 east; townships 12 and 13 south, range 1 west; townships 12, 13, and 14 south, range 2 west; townships 13 and 14 south, range 3 west; and townships 14 south, range 4 west; townships 12, 13, 14, 15, and 16 south, range 7 east; townships 14, 15, and 16 south, range 6 east; and townships 14 and 15 south, range 8 east, of the Gila and Salt River meridian, in Arizona, be, and they

Public lands.
Reservation of, for use of Papago Indians, Ariz.

44 Stat., 775, vol. 4, 562.

are, exclusive of a tribal right to the minerals therein, hereby reserved for the use and occupancy of the Papago Indians as an addition to the Papago Indian Reservation, Arizona, whenever all privately owned lands except mining claims within said addition have been purchased and acquired as hereinafter authorized: *Provided*, That all valid rights and claims which have attached to the lands prior to approval hereof shall not be affected by this Act: *Provided further*, That lands acquired hereunder shall remain tribal lands and shall not be subject to allotment to individual Indians under the General Allotment Act: *And provided further*, That all such lands shall be subject to disposition under the mining laws as provided in the Executive order of February 1, 1917, creating the Papago Indian Reservation.

Requisition of privately owned lands.

Provisos.
Valid rights and claims unaffected.

Lands not subject to allotment.

Subject to disposition under mining laws.

SEC. 2. There is hereby authorized to be appropriated, from any funds in the Treasury of the United States not otherwise appropriated, the sum of $165,000, or so much thereof as may be necessary, to be used by the Secretary of the Interior in his discretion in the purchase and acquiring of title to certain privately owned lands, improvements, and equipment located within the area described in section 1 hereof; and also in sections 25, 35, and 36, townships 17 south, range 4 east, of the Gila and Salt River Meridian, in Arizona, no part of said amount to be available unless all the privately owned lands except mining claims within said addition shall be acquired for not more than said amount together with the $9,500 authorized to be appropriated to purchase lands for an addition to the Papago Indian Reservation, Arizona, by the Act of June 28, 1926 (44 Stat. 775): *Provided*, That in the event title to any privately owned land is acquired, by purchase, the land so purchased shall become part of the Papago Indian Reservation: *And provided further*, That the State of Arizona may relinquish such tracts within the townships referred to in section 1 of this Act as it may see fit in favor of the Papago Indians, and shall have the right to select other unreserved and nonmineral public lands within the State of Arizona equal in area to that relinquished, said lieu selections to be made in the same manner as is provided for in the Enabling Act of June 20, 1910 (36 Stat. L. 558).[1]

Sum authorized for acquisition, etc., of certain private lands.

Limitation.

44 Stat., 775, vol. 4, 562.

Provisos.
To be part of Papago Indian Reservation, Ariz.

Option by Arizona.

36 Stat., 558, vol. 3, 467.

Approved, February 21, 1931.

CHAP. 269.—An Act To amend the Act of May 23, 1930 (46 Stat. 378)

February 21, 1931.
[S. 5557.]
46 Stat., 1204.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of May 23, 1930 (46 Stat. 378), entitled "An Act to eliminate certain lands from the Tusayan National Forest, Arizona, as an addition to the Western Navajo Indian Reservation," be, and the same is hereby, amended so as to include the following-described lands subject to all the conditions and provisions of said Act: Sections 10 to 15, inclusive, sections 22 to 27, inclusive, sections 34 to 36, inclusive, township 27 north, range 6 east, all of township 27 north, range 7 east; sections 4 to 9, 16 to 21, 29 to 32, all inclusive, in township 27 north, range 8 east; sections 1 and 2, the east half of section 3, the east half of section 10, sections 11 and 12, township 26 north, range 7 east; sections 5 to 8, inclusive, township 26 north, range 8 east, Gila and Salt River Meridian, Arizona.

Western Navajo Indian Reservation.
Lands added to, eliminated from Tusayan National Forest, Ariz.
46 Stat., 378; ante, 171.

Description.

SEC. 2. That for the purpose of arriving at the values and areas of lieu lands to which private landowners are entitled under the Act of May 23, 1930, as hereby amended, the value of the improvements

Full credit allowed for value of improvements.

[1] 54 I. D. D., 370; 438. 38 Opp. Atty. Gen., 123.

on all privately owned lands to be conveyed or relinquished to the United States for the benefit of the Indians shall be taken into consideration and full credit in the form of lands shall be allowed therefor: *Provided*, That the State of Arizona may relinquish such lands as it sees fit, acquired pursuant to the Enabling Act of June 20, 1910 (36 Stat. L. 557), which may be desired as lieu land, and the State shall have the right to select other unreserved and undisposed of nonmineral public lands within the State of Arizona equal in area to that relinquished, the lieu selections to be made by the State in the same manner as is provided for in said Enabling Act.

Proviso. Relinquishment of lands by Arizona. 36 Stat., 557, vol. 3, 467. Right to select others.

Approved, February 21, 1931.

February 21, 1931. [H. R. 15267.] 46 Stat., 1205.

CHAP. 271.—An Act To amend an Act entitled "An Act to authorize the cancellation, under certain conditions, of patents in fee simple to Indians for allotments held in trust by the United States"

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of February 26, 1927 (44 Stat. 1247), authorizing the Secretary of the Interior, under certain conditions, to cancel patents in fee for Indian allotments, be, and the same is hereby, amended by adding thereto the following:

Indian allotments. Cancellation of fee simple patents to. 44 Stat., 1247, vol. 4, 932.

"SEC. 2. Where patents in fee have been issued for Indian allotments, during the trust period, without application by or consent of the patentees, and such patentees or Indian heirs have sold a part of the land included in the patents, or have mortgaged the lands or any part thereof and such mortgages have been satisfied, such lands remaining undisposed of and without incumbrance by the patentees, or Indian heirs, may be given a trust patent status and the Secretary of the Interior is, on application of the allottee or his or her Indian heirs, hereby authorized, in his discretion, to cancel patents in fee so far as they cover such unsold lands not encumbered by mortgage, and to cause new trust patents to be issued therefor, to the allottees or their Indian heirs, of the form and legal effect as provided by the Act of February 8, 1887 (24 Stat. 388), and the amendments thereto, such patents to be effective from the date of the original trust patents, and the land shall be subject to any extensions of the trust made by Executive order on other allotments of members of the same tribe, and such lands shall have the same status as though such fee patents had never been issued: *Provided*, That this Act shall not apply where any such lands have been sold for unpaid taxes assessed after the date of a mortgage or deed executed by the patentee or his heirs, or sold in execution of a judgment for debt incurred after date of such mortgage or deed, and the period of redemption has expired."[1]

Issue of trust patents, on unincumbered, etc., lands, authorized.

Effective date.

Proviso. When not applicable.

Approved, February 21, 1931.

February 23, 1931. [H. R. 16110.] 46 Stat., 1309.

CHAP. 280.—An Act Making appropriations for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1932, 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 are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1932, namely:

Appropriations for Departments of State and Justice, the Judiciary, and Departments of Commerce and Labor, fiscal year, 1932.

* * * * * * *

[1] 54 I. D. D., 65; 160.

TITLE II.—DEPARTMENT OF JUSTICE

Department of Justice.

* * * * * * *

MISCELLANEOUS OBJECTS, DEPARTMENT OF JUSTICE

Miscellaneous.

* * * * * * *

Defending suits in claims against the United States: For necessary expenses incurred in the examination of witnesses, procuring evidence, employment of experts at such rates of compensation as may be authorized or approved by the Attorney General, and such other expenses as may be necessary in defending suits in the Court of Claims, including Indian depredation claims, to be expended under the direction of the Attorney General, $70,000.

Defending suits in claims.

Indian depredation claims.

* * * * * * *

Approved, February 23, 1931.

CHAP. 281.—An Act Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1932, and for other purposes

February 23, 1931.
[H. R. 16415.]
46 Stat., 1355.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1932, namely:

Independent Offices Appropriation Act, 1932.

* * * * * * *

SMITHSONIAN INSTITUTION

Smithsonian Institution.

* * * * * * *

American ethnology: For continuing ethnological researches among the American Indians and the natives of Hawaii, the excavation and preservation of archæologic remains under the direction of the Smithsonian Institution, including necessary employees, the preparation of manuscripts, drawings, and illustrations, the purchase of books and periodicals, and traveling expenses, $72,640.

American ethnology.

* * * * * * *

Approved, February 23, 1931.

CHAP. 341.—An Act To authorize an investigation with respect to the construction of a dam or dams across the Owyhee River or other streams within or adjacent to the Duck Valley Indian Reservation, Nevada, and for other purposes

February 28, 1931.
[H. R. 16302.]
46 Stat., 1458.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $15,000, or so much thereof as may be necessary, to enable the Secretary of the Interior to make further surveys, investigations, and completion of inspection of foundations and preparation of plans and specifications of Reed Creek and other reservoir sites for purpose of constructing a dam or dams across Owyhee River or other streams, to be located within or adjacent to the Duck Valley Indian Reservation, Nevada.

Owyhee River. Investigation, etc., respecting dam construction across, in Duck Valley Indian Reservation, authorized.

Approved, February 28, 1931.

March 2, 1931.
[H. R. 8812.]
46 Stat., 1468.

CHAP. 369.—An Act Authorizing the Menominee Tribe of Indians to employ general attorneys[1]

Menominee Indians, Wis.
Employment of general attorneys, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Menominee Tribe of Indians in Wisconsin through its duly recognized tribal council or business committee, is hereby authorized to enter into contract, subject to approval by the Commissioner of Indian Affairs and the Secretary of the Interior, with an attorney, or firm of attorneys, for the purpose of defending any suits that may be brought against said tribe and formulating any claims that the Indians might have against the Government of the United States. The attorney or firm of attorneys so employed shall be allowed not to exceed $6,000 per annum for compensation and all expenses, and the term of the contract shall not exceed two years: *Provided*, That, in the discretion of the Secretary of the Interior, an additional amount, not exceeding $8,000, may be allowed said attorney or firm of attorneys for actual and necessary expenses in the prosecution of their services for said tribe.

Compensation, etc.
Term.
Proviso.
Additional allowance for expenses.

Appropriation authorized.

For the purpose of carrying out the provisions of this Act the Secretary of the Interior is hereby authorized to expend the sum of not exceeding $20,000, or so much thereof as may be necessary, out of the tribal funds on deposit to the credit of the Menominee Indians.

Approved, March 2, 1931.

March 2, 1931.
[H. R. 15263.]
46 Stat., 1471.

CHAP. 374.—An Act To relieve restricted Indians in the Five Civilized Tribes whose nontaxable lands are required for State, county, or municipal improvements or sold to other persons or for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever any nontaxable land of a restricted Indian of the Five Civilized Tribes is sold to the State of Oklahoma, or to any county or municipality therein, for public-improvement purposes, or is acquired, under existing law, by said State, county, or municipality by condemnation or other proceedings for such public purposes, or is sold under existing law to any other person or corporation for other purposes, the money received for said land may, in the discretion and with the approval of the Secretary of the Interior, be reinvested in other lands selected by said Indian and such land so selected and purchased shall be restricted as to alienation, lease, or incumbrance, and nontaxable in the same quantity and upon the same terms and conditions as the nontaxable lands from which the reinvested funds were derived and such restrictions to appear in the conveyance.[2]

Five Civilized Tribes, Okla.
Restricted member of, whose land sold, may select other.

Proceeds of sale to be applied thereon.

Alienating, leasing restrictions.

Approved, March 2, 1931.

March 2, 1931.
[S. J. Res. 226.]
46 Stat., 1481.

CHAP. 377.—Joint Resolution Authorizing the distribution of the judgment rendered by the Court of Claims to the Indians of the Fort Berthold Indian Reservation, North Dakota[3]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he hereby is, authorized and directed to withdraw from the Treasury of the United States funds on deposit arising from the final judgment rendered by the Court of Claims in Docket Num-

Fort Berthold Indian Reservation, N. Dak.
Pro rata distribution of funds to Indians of, authorized.

[1] Ct. Cls. Docket No. 43646.
[2] 53 I. D. D., 637.
[3] 71 Ct. Cls., 308.

bered B-449, entitled "The Indians of the Fort Berthold Indian Reservation in the State of North Dakota, comprising the tribes known as the Arickarees, the Gros Ventres, and the Mandans, and the individual members thereof, versus the United States," and cause the total sum (less fees and expenses as fixed by the Court of Claims, which shall first be deducted and paid from the amount recovered) to be paid in pro rata shares to all members of the Arickaree, Gros Ventres, and Mandan Tribes of Indians who were alive and entitled to enrollment with such Indians on the date of said final judgment: *Provided*, That the said Secretary, under such rules and regulations as he may prescribe, shall cause to be paid, in cash, all shares due or belonging to competent Indians; and the shares of all other Indians, including minors, shall be deposited as individual Indian money in banks bonded and designated as depositaries for individual Indian moneys to remain subject to disbursement for the benefit of the Indians entitled thereto as are other individual Indian moneys under existing laws: *Provided further*, That the distribution herein authorized shall be made in two or more installments, in the discretion of the Commissioner of Indian Affairs, the first of which shall not exceed $200.

Fees and expenses deducted.

Provisos.
Payments in cash to competents.

Remainder deposited.

Distribution in installments.

Approved, March 2, 1931.

CHAP. 401.—An Act Authorizing the Pillager Bands of Chippewa Indians, residing in the State of Minnesota, to submit claims to the Court of Claims [1]

March 3, 1931.
[S. 4051.]
46 Stat., 1487.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the Court of Claims to hear, determine, and render judgment, on principles of justice and equity and as upon a full and fair arbitration, on the claims of the Pillager Bands of Chippewa Indians in the State of Minnesota against the United States for the value of any unceded lands or arising under the treaty of August 21, 1847 (9 Stat. 908), or under any treaty, agreement, or Act of Congress subsequent thereto, except the Act of January 14, 1889 (25 Stat. 642), with the right of appeal by either party to the Supreme Court of the United States, for the determination of the amount, if any, which may be legally or equitably due the said Pillager Bands of Indians, or any of them, separately or jointly with other Chippewa Indians, under any treaties, agreements, or Acts of Congress, or under any stipulations or agreements, whether written or oral, entered into between said Indians and the United States, or its authorized representatives, or for the failure of the United States to pay any money which may be legally or equitably due the said Pillager Bands of Indians.

Chippewa Indians in Minnesota.
Submission of claims of, to Court of Claims.

9 Stat., 908, vol. 2, 569.
25 Stat., 642, vol. 1, 301.
Right of appeal.

Pillager Bands claims.

SEC. 2. In any suit or suits instituted hereunder the Court of Claims shall have authority to determine and adjudge the rights, both legal and equitable, of the claimants in the premises, notwithstanding lapse of time or statutes of limitation.

Authority of court.

SEC. 3. The court shall also hear, examine, consider and adjudicate any claim or claims which the United States may have against the said Pillager Bands, properly chargeable in such suits; but any payment or payments which have been made by the United States upon such claim or claims shall not operate as an estoppel but may be pleaded by way of set-off, and the United States shall be allowed to plead and shall be given credit for all sums, including gratuities, paid to or expended for the benefit of Indians. And any other tribe or band of Indians which the court may deem necessary to a final

Counter claims.

Prior payments pleaded in set-off.

Credits.

[1] Ct. Cls. Docket No. M-387; 87 Ct. Cls., 1; 88 Ct. Cls., 1; 90 Ct. Cls., 140, 307 U. S., 1.

Joinder of other parties.

determination of any suit hereunder may be joined therein as the court shall order.

Amount of recovery limited.

SEC. 4. If in any suit instituted hereunder for the value of lands taken, sold, or diposed of by the United States it be determined by the court that the Indians are entitled to recover judgment, the price of such lands shall be not to exceed $1.25 an acre, except as to any lands the price of which has been otherwise fixed by general land laws enacted by Congress; in which case the court may be governed by the latter prices.

Filing of petitions. Time for.

SEC. 5. A petition or petitions may be filed hereunder in the Court of Claims within five years after the date of this Act, and the Pillager Bands of Chippewa Indians in the State of Minnesota shall be the party plaintiff and the United States the party defendant. The petition or petitions may be verified by the attorney employed by the said Indians to prosecute their claims, under contract to be approved by the Commissioner of Indian Affairs and the Secretary of the Interior, as provided by law, and no other verification shall be necessary.

Fees and expenses allowed.

SEC. 6. Upon final determination of any suit hereunder the Court of Claims shall decree such fees and expenses as the court shall find to be reasonably due to be paid to the attorney or attorneys employed by the said Indians, and the same shall be paid out of any sum or sums of money found due said Pillager Bands: *Provided*, That in no case shall the fees decreed be in excess of 10 per centum of the amount of the judgment: *Provided further*, That the amount of any judgment shall be placed in the Treasury of the United States to the credit of the Pillager Bands of Chippewa Indians in Minnesota and shall draw interest at the rate of 5 per centum per annum and shall be thereafter subject to appropriation by Congress for educational, health, industrial, and other purposes for the benefit of said Indians, including the purchase of lands and building of homes, and no part of said judgment shall be paid out in per capita payments to said Indians.

Provisos. Amount limited.

Disposition of judgment recovered.

Approved, March 3, 1931.

March 3, 1931. [S. 6098.]
46 Stat., 1494.

CHAP. 413.—An Act Relating to the adoption of minors by the Crow Indians of Montana

Crow Indians, Mont. Proceeding required for recognition of adopted heirs of deceased members.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter no person shall be recognized as an adopted heir of a deceased Indian of the Crow Tribe of Indians of Montana unless said adoption shall have been by a judgment or decree of a State court, or by a written adoption approved by the superintendent of the Crow Indian Agency and duly recorded in a book kept by him for such purpose: *Provided*, That adoption by Indian custom made prior to the date of approval hereof involving probate proceedings now in process of consummation, shall not be affected by this Act.

Proviso. Adoptions not affected.

Approved, March 3, 1931.

March 3, 1931. [S. 6099.]
46 Stat., 1495.

CHAP. 414.—An Act Authorizing the Secretary of the Interior to change the classification of Crow Indians

Crow Indians. Classification changes of, authorized.

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 hereby authorized, under such rules and regulations as he may prescribe, to change the classification of any Crow Indian

under the Act of June 4, 1920 (41 Stat. L. 751), from incompetent to competent on the recommendation of a committee appointed for the purpose in accordance with section 12 of said Act.

41 Stat., 751, vol. 4, 271.

Approved, March 3, 1931.

CHAP. 416.—An Act For the enrollment of children born after December 30, 1919, whose parents, or either of them, are members of the Blackfeet Tribe of Indians in the State of Montana, and for other purposes

March 3, 1931.
[S. 6136.]
46 Stat., 1495.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for six months after the approval hereof the Secretary of the Interior shall receive applications for the enrollment of children born since December 30, 1919, and still living at the expiration of six months after the approval of this Act, one or both of whose parents have been enrolled as members of the Blackfeet Tribe of Indians, of the Blackfeet Indian Reservation in the State of Montana; and for the purpose of enrollment under this section illegitimate children shall take the status of the mother, and said rolls shall be made and approved by the Secretary of the Interior within one year after the approval of this Act, and when so approved shall be conclusive evidence of the right of such applicants to participate in the benefits provided by this Act.

Blackfeet Indians, Mont.
Enrollment of children of, born since December 30, 1919.

Illegitimate children.

Approval of rolls.

SEC. 2. All persons enrolled under the provisions of the first section hereof shall be entitled to participate in the distribution of only such tribal property, benefits, or money, as may be hereafter distributed.

Participation in distribution of tribal property, etc.

Approved, March 3, 1931.

CHAP. 438.—An Act To authorize a survey of certain lands claimed by the Zuni Pueblo Indians, New Mexico, and the issuance of patent therefor

March 3, 1931.
[H. R. 8476.]
46 Stat., 1509.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to cause a survey to be made of the land held by the Zuni Pueblo Indians in New Mexico as their grant under section 8 of the Act of July 22, 1854 (Tenth Statutes, pages 308, 309), and the boundaries thereof identified: *Provided*, That upon completion of the required survey, and acceptance thereof, he shall cause to be issued to the Zuni Indians a patent covering the lands surveyed, of the same form heretofore issued for other Pueblo Indian grants in New Mexico.

Zuni Pueblo Indians, N. Mex.
Title to certain lands to be ascertained.

10 Stat., 309.

Proviso.
Patent to issue on completion of survey, etc.

Approved, March 3, 1931.

CHAP. 493.—An Act To authorize an appropriation of tribal funds to purchase certain privately owned lands within the Fort Apache Indian Reservation, Arizona

March 4, 1931.
[S. 5033.]
46 Stat., 1517.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated not to exceed the sum of $1,300 of funds on deposit to the credit of the Indians of the Fort Apache Reservation, Arizona, for the purchase of land and appurtenances thereto, exclusive of mineral rights, located within the exterior boundaries of that reservation, and belonging to the Aztec Land and Cattle Company, title thereto to be taken in the name of the United States in trust for said Indians.

Aztec Land and Cattle Company.

Purchase from, of certain lands within Fort Apache Reservation, Ariz.
Appropriation from tribal funds.

Approved, March 4, 1931.

March 4, 1931.
[S. 5110.]
46 Stat., 1518.

CHAP. 494.—An Act To amend the Act of June 4, 1924, providing for a final disposition of the affairs of the Eastern Band of Cherokee Indians in North Carolina [1]

Eastern Band of Cherokee Indians, N. C.
Former Act respecting closing affairs of, etc., amended.
43 Stat., 376, amended, vol. 4, 422.
Roll as of June 4, 1924, declared final roll.
Provisos.
Persons with small degree of Eastern Cherokee blood.
Allotments in severalty suspended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the final roll of the Eastern Band of Cherokee Indians in North Carolina directed to be prepared by the Act of June 4, 1924 (43 Stat. L. 376), is hereby declared to be a final roll of said Indians only for the purpose of showing the membership of said band as it existed on the 4th day of June, 1924: *Provided*, That thereafter no person of less than one-sixteenth degree of said Eastern Cherokee Indian blood shall be recognized as entitled to any rights with the Eastern Band of Cherokee Indians except by inheritance from a deceased member or members: *Provided further*, That the Secretary of the Interior is hereby authorized to defer the work of making allotments in severalty to the enrolled members of said band as provided for in said Act until otherwise directed by Congress.

Conflicting laws, etc. repealed.

SEC. 2. That all Acts or parts of Acts in conflict herewith are hereby repealed.

Approved, March 4, 1931.

March 4, 1931.
[S. 5313.]
46 Stat., 1519.

CHAP. 497.—An Act To cancel certain reimbursable charges against certain lands within the Gila River Indian Reservation, Arizona

Gila River Indian Reservation, Ariz.
Certain reimbursable charges against designated lands within, canceled.
Pima irrigation system.
33 Stat., 1081, vol. 3, 157.
37 Stat., 522, vol. 3, 533.
San Carlos, etc., projects.
37 Stat., 522, vol. 3, 533; 40 Stat., 569, vol. 4, 155.
43 Stat., 475, vol. 4, 434.
Exceptions.
Diversion dam, canals, etc.
39 Stat., 130, vol. 4, 60.
43 Stat., 401, 475, vol. 4, 434, 447.
Florence Casa Grande project.
Salt River Valley project.
Reimbursable expenditures in connection herewith waived.
Supra.
Exceptions.
Florence Casa Grande project.
Sacaton bridge, etc.
Designated expenses.
Sacaton bridge, etc., siphon.
Portion of Santan and Casa Blanca canals.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all allotments and other lands comprised in the Gila River Indian Reservation which the Secretary of the Interior shall designate to be permanently included in and irrigated under the San Carlos project are hereby relieved of all liens for the reimbursement to the United States of moneys expended and reimbursable as provided in section 10 of the Act of March 3, 1905 (33 Stat. 1081), or in section 2 of the Act of August 24, 1912 (37 Stat. 522), or Acts amendatory thereof or supplementary thereto as to such expenditures made prior to the passage of the San Carlos Act (43 Stat. 475–476), except those made under that part of the Act of May 18, 1916 (39 Stat. 123–130), and Acts amendatory thereof or supplementary thereto which provides for the construction of the dam above Florence, Arizona, and controlling works and canals which constitute the Florence Casa Grande project; and except further the $100,000 expended for an electric transmission line and rights to electrical energy from the Salt River Valley irrigation project.

SEC. 2. That all expenditures of moneys for or in connection with the Gila River Indian Reservation made reimbursable as provided in said Acts of March 3, 1905, or August 24, 1912, or Acts amendatory thereof or supplementary thereto, as described in section 1 hereof with the exception there made of moneys expended for the Florence Casa Grande project and for the electrical transmission line and electrical energy, including the expenditures made for the Sacaton bridge and dam valued as a bridge at $300,000, are hereby waived and not required to be paid or reimbursed to the United States, except the expenditures made for the purposes and in the amounts as follows: That part of the Sacaton bridge and dam which is a siphon, valued at $75,000; the Santan and Casa Blanca canals and other works on the reservation north of the railroad which crosses the river below Sacaton,

[1] 89 Fed. (2d), 312.

valued at $87,000, which expenditures in the amount stated shall remain reimbursable but hereafter shall remain chargeable only against the unallotted lands of the Gila River Indian Reservation; and the irrigation works for taking and distributing water from the Gila and Salt Rivers below said railroad as the Secretary of the Interior shall value them at sums aggregating not more than $50,000, which expenditures in the amount so valued shall remain reimbursable and charged against the allotments on the said Gila River Indian Reservation not included in the San Carlos project.

Limited charges allowed.

Approved, March 4, 1931.

CHAP. 503.—An Act To authorize the Secretary of the Interior to purchase certain land in California for addition to the Cahuilla Indian Reservation, and issuance of a patent to the band of Indians therefor

March 4, 1931.
[S. 6011.]
46 Stat., 1522.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to purchase section 36, township 7 south, range 2 east, San Bernardino base and meridian, California, containing six hundred and forty acres, for addition to the Cahuilla Indian Reservation, and issue a trust patent therefor to the band of Indians in accordance with the Act of January 12, 1891 (26 Stat. 712), as amended by the Act of March 1, 1907 (34 Stat. 1015–1022); and there is hereby authorized to be appropriated, out of any money in the United States Treasury not otherwise appropriated, the sum of $2,560 to cover the purchase price of the land.

Cahuilla Indian Reservation, Calif.
Purchase of land for addition to, authorized.

26 Stat., 712, vol. 1, 883.

34 Stat., 1015, vol. 3, 266.

Sum authorized.

Approved, March 4, 1931.

CHAP. 507.—An Act To provide for distribution of tribal funds of the Puyallup Indians of the State of Washington

March 4, 1931.
[S. 6146.]
46 Stat., 1526.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized, under such regulations as he may prescribe, to distribute to the Puyallup Indians of the State of Washington all or any part of the tribal funds of said Indians in the Treasury of the United States, known as the Puyallup 4 per centum school fund and proceeds of surplus Puyallup school lands, together with the interest thereon, such distribution to be made in equal shares to the three hundred and forty persons, or their heirs, whose names appear on the tribal roll approved May 12, 1930.

Puyallup Indians, Wash.
Distribution of tribal funds to enrolled members of.

Approved, March 4, 1931.

CHAP. 522.—An Act Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1931, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1931, and June 30, 1932, and for other purposes

March 4, 1931.
[H. R. 17163.]
46 Stat., 1552.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1931, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1931, and June 30, 1932, and for other purposes, namely:

Second Deficiency Act fiscal year 1931.

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Department of Agriculture.

DEPARTMENT OF AGRICULTURE

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MISCELLANEOUS

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Indian lands.
Road construction through unappropriated, etc.
Continued available, fiscal year 1932.
46 Stat., 805, post, 633.

The appropriation of $3,000,000 for roads on unappropriated or unreserved public lands, nontaxable Indian lands, and so forth, contained in the Act entitled "An Act Making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment," approved December 20, 1930, is hereby continued available during the fiscal year 1932.

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Department of the Interior.

DEPARTMENT OF THE INTERIOR

OFFICE OF THE SECRETARY

Printing and binding.

Printing and binding: For an additional amount for printing and binding for the Department of the Interior, fiscal year 1931, $1,500.

Contingent expenses.
Deduction from Indian Service.
46 Stat., 281; ante, 145.

Contingent expenses: The amount authorized to be deducted from appropriations for the fiscal year 1931 for the Indian Service and placed to the credit of the appropriation for contingent expenses, Department of the Interior, for the purchase of stationery supplies, is hereby increased from $45,000 to $50,000.

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Indian Affairs Bureau.

BUREAU OF INDIAN AFFAIRS

Indian supplies.

Purchase and transportation of Indian supplies: For an additional amount for purchase and transportation of Indian supplies, including the same objects specified under this head in the Interior Department Appropriation Acts for the following fiscal years:

For 1927, $249.71;

For 1930, $90,000.

Suppressing liquor, etc., traffic.

Suppressing liquor traffic among Indians: For an additional amount for the suppression of the traffic in intoxicating liquors and deleterious drugs, including peyote, among Indians, fiscal year 1929, $3.75.

Agency buildings.
Construction, etc., specified buildings.

Indian agency buildings: For an additional amount for construction and improvement of Indian agency buildings, as follows: For power plant, Tongue River Agency, Montana, $27,000; for rehabilitation of the water system, Jicarilla Agency, New Mexico, including purchase of necessary equipment, $35,000; for power plant, Warm Springs Agency, Oregon, $32,500; in all, fiscal years 1931 and 1932, $94,500.

Five Civilized Tribes, Okla.
Attorneys, etc., for.

Probate attorneys, Five Civilized Tribes, Oklahoma: For an additional amount for salaries and expenses of such attorneys and other employees as the Secretary of the Interior may, in his discretion, deem necessary in probate matters affecting restricted allottees or their heirs in the Five Civilized Tribes, and in the several tribes of the Quapaw Agency, and for the costs and other necessary expenses incident to suits instituted or conducted by such attorneys, fiscal year 1930, $52.01.

Compensation to Pueblo Indians of New Mexico: For carrying out the provisions of the Act of June 7, 1924 (43 Stat., p. 636), to quiet title in Pueblo Indian lands, New Mexico, and in settlement for damages for lands and water rights lost to the Indians of the pueblos, as recommended in the respective reports of the Pueblo Lands Board thereon, fiscal year 1931, $52,439.51, as follows: Nambe, supplemental, $11,675; Taos, supplemental, $27,631.85; San Juan, supplemental, $6,985.54; San Ildefonso, supplemental, $6,147.12.

Pueblo Indian lands, N. Mex.
Quieting titles in, etc.
43 Stat., 636, vol. 4, 454.
Designated pueblos.

Uintah, White River, and Uncompahgre Bands of Ute Indians: To carry out the provisions of the Act entitled "An Act authorizing an appropriation for payment to the Uintah, White River, and Uncompahgre Bands of Ute Indians in the State of Utah for certain lands, and for other purposes," approved February 13, 1931, fiscal years 1931 and 1932, $1,217,221.25.

Uintah, etc., Utes, Utah.
Payment to, for certain lands.
Ante, 196.

Indian village, Elko, Nevada: For the purchase of a village site, construction, removal, repair or enlargement of homes, and installation of sewer and water systems, for the use and benefit of Indians near Elko, Nevada, as authorized by and in accordance with the act approved January 31, 1931 (Public Act Numbered 581, Seventy-first Congress), fiscal years 1931 and 1932, $20,000.

Indian village, Elko, Nev.
Purchase of site for.
Ante, 189.

Additional land for Papago Reservation, Arizona: For the acquisition of certain privately owned lands, improvements, and equipment for the use of the Papago Indians, Arizona, in accordance with the Act of February 21, 1931, fiscal years 1931 and 1932, $165,000, together with the unexpended balance of the appropriation of $9,500 contained in the Interior Department Appropriation Act for the fiscal year 1929, for the purchase of land as an addition to the agency reserve of the Papago Indian Reservation, Arizona.

Papago Reservation, Ariz.
Addition.
46 Stat., 295; ante, 230.
45 Stat., 207; ante, 12.

Payment to Kiowa, Comanche, and Apache Indians, Oklahoma (tribal funds): For an additional amount for payment to the Kiowa, Comanche, and Apache Indians, of Oklahoma, under such rules and regulations as the Secretary of the Interior may prescribe, $100,000, payable from the tribal trust fund established by the public resolution approved June 12, 1926 (44 Stat., p. 740), being a part of the Indians' share of the money derived from the south half of the Red River in Oklahoma.

Kiowas, etc., Okla.
Payment to, from royalty funds.
44 Stat., 740, vol. 4, 558.

Payment to Sisseton and Wahpeton Indians (tribal funds): The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States the sum of $270,000 with accrued interest thereon, representing the balance of the amount appropriated to satisfy claims of the Sisseton and Wahpeton bands of Sioux Indians by the Act of July 3, 1930 (46 Stat. 876), and to pay the same per capita to Indians found by him to be entitled thereto, in accordance with the requirements of the Act of June 21, 1930 (46 Stat., p. 793): *Provided*, That shares due or belonging to competent Indians shall be paid in cash, and shares of all other Indians, including minors, shall be deposited to their individual credit and be subject to existing regulations governing individual Indian moneys.

Sioux Indians.
Payment to Sisseton and Wahpeton bands of.
46 Stat., 876; ante, 182.
Treaty claims.
46 Stat., 795; ante, 179.
Proviso.
Payment of shares.

Administration of Indian forests: For an additional amount for the administration of Indian forests, including the same objects specified under this head in the Act making appropriations for the Department of the Interior for the fiscal year 1931, $50,000.

Indian forests, administration.

Coolidge Dam across Canyon of Gila River, Arizona (reimbursable): For an additional amount for completing construction of the Coolidge Dam across the canyon of the Gila River near San Carlos,

Coolidge Dam, Ariz.
Completing construction of.

43 Stat., 475, vol. 4, 447.

Balances reappropriated.
46 Stat., 103; ante, 135.

Arizona, as authorized by the Act of June 7, 1924 (43 Stat., p. 475), and under the terms and conditions of, and reimbursable as provided in, said Act, as supplemented or amended, fiscal years 1931 and 1932, $27,000, together with any unexpended balances of appropriations heretofore made for this purpose, which are hereby continued available until June 30, 1932.

Power plant, Coolidge Dam.
Completing construction.

45 Stat., 200; ante, 8.

Power plant, Coolidge Dam, San Carlos Reservation (reimbursable): For completing construction of a power plant for development of electrical power at the Coolidge Dam as an incident to the use of the Coolidge Reservoir authorized by the Act of Congress approved March 7, 1928 (45 Stat., p. 200), and under the terms and conditions of, and reimbursable as provided in, the Act of June 7, 1924 (43 Stat., p. 475), as supplemented and amended, fiscal years 1931 and 1932, $6,000, together with the unexpended balances of appropriations heretofore made for this purpose, which are hereby continued available until June 30, 1932.

43 Stat., 475, vol. 4, 447.

Balances available.
46 Stat., 103; ante, 105.

Irrigation systems.
Flathead Reservation, Mont.

Irrigation systems, Flathead Reservation, Montana (reimbursable): For an additional amount for the construction and/or purchase of a power distributing system for the use of the Flathead irrigation project, Montana, fiscal years 1931 and 1932, $200,000, in lieu of the contract authorizations of $200,000 for this purpose contained in the Interior Department Appropriation Acts for the fiscal years 1931 and 1932.

Contracts.
46 Stat., 291; ante, 154.

Laguna and Acoma Indians, N. Mex.
Operating system.
46 Stat., 292; ante, 155.

Improvement, maintenance, and operation, irrigation system, Laguna Pueblo, New Mexico (reimbursable): For an additional amount for improvement, operation, and maintenance of the irrigation system for the Laguna and Acoma Indians in New Mexico, including reconstruction of the Acoma diversion dam, fiscal years 1931 and 1932, $11,000, reimbursable by the Indians benefited, under such rules and regulations as the Secretary of the Interior may prescribe.

Uintah Reservation, Utah.
Sites for ditch riders.
Balance available.
46 Stat., 292; ante, 155.

Irrigation system, Uintah Reservation, Utah (tribal funds): The unexpended balance of the appropriation, contained in the Interior Department Appropriation Act for the fiscal year 1931, for the purchase of four sites and the construction of cottages thereon for use of ditch riders employed by the Uintah Indian irrigation project, is hereby continued available for the same purpose until June 30, 1932.

Middle Rio Grande project, N. Mex.

45 Stat., 312, 1640; ante, 34, 121.

Middle Rio Grande conservancy district, New Mexico (reimbursable): For payment to the Middle Rio Grande conservancy district in accordance with the provisions of the Act entitled "An Act authorizing the Secretary of the Interior to execute an agreement with the Middle Rio Grande conservancy district providing for conservation, irrigation, drainage, and flood control for the Pueblo Indian lands in the Rio Grande Valley, New Mexico, and for other purposes," approved March 13, 1928 (45 Stat., p. 312), fiscal years 1931 and 1932, $125,000, reimbursable as provided in such Act.

46 Stat, 292; ante, 155.

Indian schools.
Livestock.
46 Stat., 104; ante, 106.

Support of Indian schools, livestock: The unexpended balance of the appropriation of $150,000 for livestock, fiscal years 1930 and 1931, contained in the First Deficiency Act, fiscal year 1930 (46 Stat., p. 104), is hereby continued available until June 30, 1932.

Ute Mountain Indians, Colo.
Water, etc., school buildings.

Indian school buildings: Ute Mountain School, Colorado: For water supply, including purchase of necessary equipment, fiscal years 1931 and 1932, $15,000.

Browning, Mont., School District.
Sum from appropriation for Blackfeet School available for construction expenses of,

Browning School District, Montana: The appropriation of $15,000 contained in the Interior Department Appropriation Act, fiscal year 1932, for completing the Blackfeet Boarding School, Montana, is hereby made available for reimbursing Browning School District Numbered 9, Glacier County, Montana, for expenditures made in the

extension and betterment of the public high-school building at Browning, Montana, on the Blackfeet Indian Reservation, under authorization of the Act of May 15, 1930 (46 Stat., p. 334). 46 Stat., 334; ante, 170.

Frazer, Montana, School District Numbered 2: For cooperation with School District Numbered 2, Frazer, Montana, in construction of a public high-school building at that place as authorized by Public Law, 652, Seventy-first Congress, fiscal years 1931 and 1932, $25,000. Frazer, Mont. Cooperative construction of high school.

Poplar, Montana, School District Numbered 9: For cooperation with School District Numbered 9, Poplar, Montana, in extension and betterment of the public high-school building at that place as authorized by Public Law, 657, Seventy-first Congress, fiscal years 1931 and 1932, $50,000. Poplar, Mont. Cooperative school construction.

Sherman Institute, Riverside, California: For dairy sheds, milk house and equipment, $16,000; for construction and repair of sidewalks and curbing abutting the institute grounds, $9,000; in all, fiscal years 1931 and 1932, $25,000. Sherman Institute, Riverside, Calif.

Charles H. Burke School, Fort Wingate, New Mexico: For repairs and improvements to heating system, including purchase and installation of stokers and water-softening equipment, fiscal years 1931 and 1932, $30,000. Charles H. Burke, Fort Wingate, N. Mex.

Education of natives of Alaska: For an additional amount for purchase or erection of buildings, to provide for the erection of a school building at Nome, Alaska, at a total cost of not to exceed $20,000, fiscal years 1931 and 1932, $10,000. Alaska. Education of natives.

For an additional amount for purchase and erection of buildings, to provide for the construction of a school building and teacherage at Shungnak, Alaska, including necessary equipment, supplies, and freight therefor, fiscal years 1931 and 1932, $15,000. Shungnak, buildings.

The unexpended balances of appropriations made for the fiscal year 1931 for education and medical relief of the natives in Alaska may be transferred from the Office of Education to the Bureau of Indian Affairs at such time as the Secretary of the Interior may determine. Education and medical relief. Balances transferred to Indian Affairs Bureau. 46 Stat., 320; ante, 170.

Tacoma Hospital, Washington: For improvement of water supply, $21,000; for completing central heating plant, $6,500; in all, fiscal years 1931 and 1932, $27,500. Indian hospitals, etc. Tacoma, Wash.

Hopi-Navajo Sanatorium, Winslow, Arizona: For construction and equipment of a sanatorium, including quarters for employees, at Winslow, Arizona, on a site to be approved by the Secretary of the Interior and furnished to the United States free of cost, fiscal years 1931 and 1932, $150,000. Hopi-Navajo, Winslow, Ariz.

Support of hospitals, Chippewas of Minnesota (tribal funds): For an additional amount for the support of the Red Lake Hospital, Minnesota, including repairs, and the construction and equipment of quarters for employees, fiscal years 1931 and 1932, $25,000, payable from funds on deposit to the credit of the Red Lake Indians. Chippewas of Minnesota. Red Lake hospital.

Support of Indians and administration of Indian property: For an additional amount for general support of Indians and administration of Indian property, including pay of employees, fiscal year 1932, $75,000.

Support of Indians and administration of Indian property (tribal funds): For an additional amount for general support of Indians and administration of Indian property under the jurisdiction of the Mission Agency, California, to be paid from funds held by the United States in trust for the Indians of this jurisdiction, fiscal years 1931 and 1932, $4,000. Mission Agency Calif. From trust funds.

Fees and expenses, litigation involving Osage mineral rights, Oklahoma (tribal funds): For attorney fees and all other expenses in Osages, Okla. Mineral rights litigation, attorneys, etc.

connection with litigation involving the validity of Acts of Congress relating to ownership of mineral rights in and to lands within the Osage Nation, Oklahoma, as authorized by and in accordance with the Act approved January 31, 1931 (Public Act Numbered 583, Seventy-first Congress), fiscal years 1931 and 1932, $25,000, payable from funds on deposit in the Treasury to the credit of the Osage Tribe of Indians.

Ante, 190.

From tribal funds.

Old Crossing, Red Lake River, Minn.
Monument commemorating signing Indian treaty at.
Ante, 189.

Monument at Old Crossing, Minnesota: For the erection of a monument and historical tablets at the site known as Old Crossing, Minnesota, to commemorate the signing of the treaty of October 2, 1863, between the United States and the Chippewa Indians, as authorized by and in accordance with the provisions of the Act approved January 31, 1931 (Public Act Numbered 577, Seventy-first Congress), fiscal years 1931 and 1932, $5,000.

* * * * * * *

Geological Survey.

GEOLOGICAL SURVEY

General expenses.
Specified projects, payable from topographic surveys fund.

General expenses: The appropriation of $744,000 for topographic surveys contained in the Interior Department Appropriation Act for the fiscal year 1931 is hereby made available for the following purposes, during the fiscal years mentioned, in not to exceed the amounts stated: For gauging streams, fiscal year 1931, $55,000; for enforcement of the mineral leasing acts, fiscal year 1931, $20,000; for supervising mining operations on leased Indian lands, fiscal year 1931, $5,000. * * *

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Brookhart Amendments to Classification Act of 1923, etc.

TITLE II—SUPPLEMENTAL APPROPRIATIONS UNDER THE ACT OF JULY 3, 1930, AMENDING THE CLASSIFICATION ACT OF 1923, AS AMENDED

Supplemental appropriations under, fiscal year 1931.

46 Stat., 1003; ante, 181.
U. S. C., supp. IV, p. 25.

SECTION 1. Supplemental appropriations for the fiscal year ending June 30, 1931, on account of the enactment of the Act of July 3, 1930 (46 Stat., p. 1003–1005), amending the Classification Act of 1923, as amended, to be added to and become a part of the appropriations available during such fiscal year under the following appropriation titles, namely:

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Department of the Interior.

DEPARTMENT OF THE INTERIOR

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Bureau of Indian Affairs.

BUREAU OF INDIAN AFFAIRS

For "Salaries, Bureau of Indian Affairs, 1931," $3,660.

For "Determining Heirs of Deceased Indian Allottees, 1931," $1,000.

For "Irrigation, Indian Reservations (reimbursable), 1931," $460.

For "Indian Schools: Support, 1931," $1,590.

"Indian Boarding Schools, 1931:" Fort Mojave, Arizona, $100; Phoenix, Arizona, $200; Truxton Canyon, Arizona, $60; Sherman Institute, Riverside, California, $560; Haskell Institute, Lawrence, Kansas, $180; Pipestone, Minnesota, $100; Genoa, Nebraska, $60; Carson City, Nevada, $120; Albuquerque, New Mexico, $200; Santa Fe, New Mexico, $100; Bismarck, North Dakota, $60; Chilocco, Oklahoma, $380; Euchee, Oklahoma, $60; Eufaula, Oklahoma, $60; in all, $2,240.

For "Conservation of Health Among Indians, 1931," $1,110.

For "Support of Indians and Administration of Indian Property, 1931," $1,720.

Total, Bureau of Indian Affairs, $11,780.

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AUDITED CLAIMS

Audited claims.

SEC. 5. That for the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1928 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in Senate Document Numbered 281, Seventy-first Congress, there is appropriated as follows:

Payment of additional.

18 Stat., 110.
U. S. C., p. 1022.

23 Stat., 254.
U. S. C., p. 43.

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DEPARTMENT OF THE INTERIOR

Interior Department.

For relieving distress and prevention, and so forth, of diseases among Indians, $45.

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Approved, March 4, 1931.

PRIVATE ACTS OF THE SEVENTY-FIRST CONGRESS, THIRD SESSION, 1930–1931

CHAP. 91.—An Act For the relief of H. E. Mills

January 31, 1931.
[H. R. 7063.]
46 Stat., 1974.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay to H. E. Mills, Springdale, Washington, out of any money in the Treasury not otherwise appropriated, the sum of $804, representing the amount disallowed by the Comptroller General in certificate of settlement numbered 0136739–I, to cover liquidated damages for delay in performance of the contract of such H. E. Mills with the Department of the Interior for construction of two frame cottages for the Colville Indian Agency.

H. E. Mills.
Payment to.

Approved, January 31, 1931.

CHAP. 116.—An Act To provide for discharging certain obligations of Peter R. Wadsworth, former superintendent and special disbursing agent of the Consolidated Chippewa Indian Agency

February 9, 1931.
[H. R. 6668.]
46 Stat., 1979.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $1,012.32, to be credited to the tribal funds of the Chippewa Indians, for the purpose of discharging the obligations of Peter R. Wadsworth, former superintendent and special disbursing agent of the Consolidated Chippewa Indian Agency, Cass Lake, Minnesota, arising out of the failure of the First National Bank of Saint Cloud, Minnesota, on June 17, 1925.

Peter R. Wadsworth.
Appropriation for crediting accounts of, due to bank failures.

Placed to credit of Chippewa Indians of Minnesota.

Unpaid claims of Indians to be settled.

SEC. 2. The Secretary of the Interior is authorized and directed to pay, out of the money so credited, the unpaid claims of all Chippewa Indians against such agency arising out of such bank failure.

Approved, February 9, 1931.

February 14, 1931.
[H. R. 11564.]
46 Stat., 1986.

CHAP. 198.—An Act To reimburse William Whitright for expenses incurred as an authorized delegate of the Fort Peck Indians

William Whitright.
Reimbursement.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to William Whitright from the fund designated "Indian Moneys, Proceeds of Labor, Fort Peck Indians," the sum of $94.10 as reimbursement for actual expenses incurred as a delegate to the Sioux council at Rosebud Agency, South Dakota, on October 21 and 22, 1926, under authority of the Commissioner of Indian Affairs dated October 7, 1926.

Approved, February 14, 1931.

February 14, 1931.
[H. R. 11565.]
46 Stat., 1986.

CHAP. 199.—An Act To reimburse Charles Thompson for expenses incurred as an authorized delegate of the Fort Peck Indians

Charles Thompson.
Reimbursement.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Charles Thompson from the fund designated "Indian Moneys, Proceeds of Labor, Fort Peck Indians," the sum of $94.10 as reimbursement for actual expenses incurred as a delegate to the Sioux council at Rosebud Agency, South Dakota, on October 21 and 22, 1926, under authority of the Commissioner of Indian Affairs dated October 7, 1926.

Approved, February 14, 1931.

March 3, 1931.
[S. 4715.]
46 Stat., 2135.

CHAP. 460.—An Act For the relief of John T. Doyle

John T. Doyle.
Homestead patent to.
41 Stat., 756, vol. 4, 271.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to issue a patent in fee to John T. Doyle, Crow allottee numbered 1660, for land allotted to him under the provisions of the Act of June 4, 1920 (41 Stat. L. 751), and designated as homestead.

Approved, March 3, 1931.

March 4, 1931.
[S. 4675.]
46 Stat., 2148.

CHAP. 548.—An Act For the relief of the Seward City Mills (Incorporated)

Seward City Mills (Incorporated).
Claim of, for balance due on flour contract to be settled.

Appropriation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the claim of the Seward City Mills, Incorporated, for a balance alleged to be due under the contract 1-I-Ind-1660, dated September 7, 1928, for the delivery of flour to the Indian Service, and to allow in full and final settlement for said claim the sum of not to exceed $830.82. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $830.82, or so much thereof as may be necessary, for payment of the claim.

Approved, March 4, 1931.

CHAP. 549.—An Act For the relief of Mrs. Thomas Doyle

March 4, 1931.
[S. 4716.]
46 Stat., 2148.

Mrs. Thomas Doyle.
Land patent to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to issue a patent in fee to Mrs. Thomas Doyle, Crow allottee numbered 1657, for land allotted to her under the provisions of the Act of June 4, 1920 (41 Stat. L. 751), and designated as homestead.

41 Stat., 751, vol. 4, 271.

Approved, March 4, 1931.

PUBLIC ACTS OF THE SEVENTY-SECOND CONGRESS, FIRST SESSION, 1931–1932

CHAP. 12.—An Act Making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1932, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1932, and for other purposes

February 2, 1932.
[H. R. 6660.]
47 Stat., 15.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1932, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1932, and for other purposes, namely:

First Deficiency Act, fiscal year, 1932.

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DEPARTMENT OF THE INTERIOR

Interior Department.

OFFICE OF THE SECRETARY

Secretary's office.

The amount authorized to be deducted from appropriations for the fiscal year 1932 for the Indian Service and placed to the credit of the appropriation for contingent expenses, Department of the Interior, for the purchase of stationery supplies, is hereby increased from $50,000 to $55,000.

Contingent expenses, amount increased.

BUREAU OF INDIAN AFFAIRS

Indian Affairs Bureau.

Enrollment, Indians of California: For an additional amount for carrying out the provisions of section 7 of the Act entitled "An Act authorizing the attorney general of the State of California to bring suit in the Court of Claims on behalf of Indians in California," approved May 18, 1928 (45 Stat. 602), as amended by the Act of April 29, 1930 (46 Stat. 259), fiscal years 1932 and 1933, $7,550.

Enrollment, Indians of California.

45 Stat., 602, ante, 49.
46 Stat., 259, ante, 143.

Suppressing forest fires on Indian reservations: For an additional amount for the suppression or emergency prevention of forest fires on or threatening Indian reservations, fiscal year 1932, $50,000, together with $25,000 from funds held by the United States in trust for the respective tribes of Indians interested.

Suppressing forest fires.
46 Stat., 1123, ante, 208.

Irrigation, Indian reservations (reimbursable): For an additional amount for the construction, repair, and maintenance of irrigation systems, and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian reservations as follows: Goshute, Utah, fiscal year 1932, $400, reimbursable as provided in the Act of August 1, 1914 (U. S. C., title 25, sec. 385).

Irrigation, Indian reservations.
Additional amount.
46 Stat., 1125, ante, 209.

38 Stat., 582–587, vol. 4, 8, 13.
U. S. C., p. 716.

Irrigation, Colorado River Reservation, Arizona (reimbursable): For an additional amount for improvement, operation, and maintenance of the pumping plants and irrigation system on the Colorado

Colorado River Reservation, Ariz.
Additional amount.
46 Stat., 1126, ante, 210.

36 Stat., 270–273, vol. 3, 429, 432. U. S. C., p. 716.

River Indian Reservation, Arizona, as provided in the Act of April 4, 1910 (36 Stat., 273), fiscal year 1932, $7,500, reimbursable as provided in the aforesaid Act.

Ganado irrigation project, Ariz. Additional amount. 46 Stat., 1126, ante, 210.

Ganado irrigation project, Navajo Reservation, Arizona (reimbursable): For an additional amount for improvement, operation, and maintenance of the Ganado irrigation project, Arizona, reimbursable under such rules and regulations as the Secretary of the Interior may prescribe, fiscal year 1932, $25,000.

Uintah Reservation, Utah. Additional amount. 46 Stat., 1129, ante, 213.

34 Stat., 375, vol. 3, 242.

Irrigation system, Uintah Reservation, Utah (tribal funds): For an additional amount for continuing operation and maintenance and betterment of the irrigation system to irrigate allotted lands of the Uncompahgre, Uintah, and White River Utes in Utah, authorized under the Act of June 21, 1906 (34 Stat., 375), fiscal year 1932, $20,000, to be paid from tribal funds held by the United States in trust for said Indians, said sum to be reimbursed to the tribal fund by the individuals benefited under such rules and regulations as may be prescribed by the Secretary of the Interior.

Indian schools, support. Additional amount. 46 Stat., 293, ante, 164.

Indian schools, support: For an additional amount for payment of tuition of Indian children enrolled in public schools, fiscal year 1931, $7,300.

Support and administration of property. 46 Stat., 1138, ante, 222.

Support of Indians and administration of Indian property: For an additional amount for general support of Indians and administration of Indian property, including pay of employees, fiscal year 1932, $275,000: *Provided*, That this appropriation shall be available for the employment of Indian labor on any necessary project or activity.

Proviso. Employment of Indian labor.

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Audited claims.

AUDITED CLAIMS

Payment of.

SEC. 4. For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1929 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in House Document Numbered One hundred and seventy-three, Seventy-second Congress, there is appropriated as follows:

18 Stat., 110. U. S. C., p. 1022.

23 Stat., 254. U. S. C., p. 43.

* * * * * * *

Department of the Interior.

DEPARTMENT OF THE INTERIOR

* * * * * * *

For general expenses, Indian Service, $3,464.11.

For industrial work and care of timber, $500.

For purchase and transportation of Indian supplies, $70.42.

For support of Indians and administration of Indian property, $9.22.

For relieving distress and prevention, and so forth, of diseases among Indians, $2,165.50.

For Indian schools, support, $354.73.

For Indian boarding schools, $164.99.

For Indian school transportation, $22.

For bridge and road, Hoopa Valley Reservation, California, $14,237.74.

For conservation of health among Indians, $360.95.

For support of Sioux of different tribes, subsistence and civilization, $8.

* * * * * * *

AUDITED CLAIMS

Audited claims

SEC. 5. That for the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874, as amended (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1929 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in Senate Document Numbered 42, Seventy-second Congress, there is appropriated as follows:

18 Stat., 110.
U. S. C., p. 1022.

23 Stat., 254.
U. S. C., p. 43.

* * * * * * *

DEPARTMENT OF THE INTERIOR

Department of the Interior.

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For conservation of health among Indians, $6.33.

For Indian schools, support, $131.54.

For Indian boarding schools, $10.99.

* * * * * * *

Approved, February 2, 1932.

CHAP. 18.—An Act To repeal the Act of Congress approved May 31, 1924 (43 Stat. L. 247), entitled "An Act to authorize the setting aside of certain tribal land within the Quinaielt Indian Reservation in Washington, for lighthouse purposes"

February 4, 1932.
[S. 2408.]
47 Stat., 370.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of May 31, 1924 (43 Stat. L. 247), authorizing the Secretary of the Interior to set aside for lighthouse purposes lot 5, section 13, and lot 1, section 24, township 21 north, range 13 west, Willamette meridian, within the Quinaielt Indian Reservation in Washington, containing a total of forty-three and twenty one-hundredths acres, be, and the same is hereby, repealed in its entirety.

Quinaielt Indian Reservation, Wash.
Lands in, for lighthouse purposes.
43 Stat., 247, repealed, vol. 4, 419.

Approved, February 4, 1932.

CHAP. 23.—An Act To authorize the sale of parts of a cemetery reserve made for the Kiowa, Comanche, and Apache Indians in Oklahoma

February 6, 1932.
[S. 2407.]
47 Stat., 39.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to cause to be issued a patent in fee for not to exceed two and one-half acres of land lying in the northwest corner of the south half of southwest quarter of section 23, township 5 north, range 12 west, Indian meridian, in Caddo County, Oklahoma, said area being within the tract set apart and reserved as a tribal burial ground for the Kiowa, Comanche, and Apache Indians, but long used with their knowledge

Cache Creek Indian Cemetery, Okla.
Patent to issue for part of.

Provisos. Condition.

and assent as a burial place for white residents of the vicinity: *Provided*, That no patent shall issue until a cemetery association has been legally organized to hold title and until payment for the area involved has been made to the superintendent of the reservation in an amount not less than the appraised value of the land: *Provided further*, That there is hereby reserved for the use and benefit of the present Indian owners in common all oil, gas, coal, or other minerals in the lands set aside hereunder.

Mineral rights reserved.

Sale of additional portions authorized.

SEC. 2. The Secretary of the Interior is further authorized, in his discretion, to offer for sale on competitive bids, at not less than their appraised value, and to convey to the purchasers, such other parts of the said eighty acres heretofore set apart and known as the Cache Creek Indian Cemetery, as may be found not longer needed for Indian burial or administrative purposes; with the understanding that the net proceeds received from such sale or sales and from the cultivation or leasing of any part prior to sale, shall be set apart and constitute a fund for the beautifying, improvement, and management of the portion retained as a tribal cemetery: *Provided*, That there is hereby reserved for the use and benefit of the present Indian owners in common all oil, gas, coal, or other minerals in the lands set aside hereunder.

Proviso. Mineral rights reserved.

Management of tribal cemetery.

SEC. 3. It is further provided that each of the three tribes interested may select one of its full-blood members, the three to function as trustees and custodians of the tribal cemetery, signing leases and otherwise assisting in the management of the property, subject to advice and approval of the superintendent.

Approved, February 6, 1932.

February 12, 1932. [H. R. 225.]
47 Stat., 49.

CHAP. 45.—An Act Providing for payment of $25 to each enrolled Chippewa Indian of Minnesota from the funds standing to their credit in the Treasury of the United States

Chippewa Indians, Minn. Payment to enrolled members of, authorized.

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 and directed to withdraw from the Treasury so much as may be necessary of the principal fund on deposit to the credit of the Chippewa Indians in the State of Minnesota, under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota," approved January 14, 1889, as amended, and to make therefrom payment of $25 to each enrolled Chippewa Indian of Minnesota, under such regulations as such Secretary shall prescribe. No payment shall be made under this Act until the Chippewa Indians of Minnesota shall, in such manner as such Secretary shall prescribe, have accepted such payments and ratified the provisions of this Act. The money paid to the Indians under this Act shall not be subject to any lien or claim of whatever nature against any of said Indians.

25 Stat., 645, vol. 1, 305.

Ratification, etc., by Indians. Payments exempt from liens, etc.

Approved, February 12, 1932.

February 12, 1932. [H. R. 6663.]
47 Stat., 50.

CHAP. 46.—An Act To reserve certain land on the public domain in Utah for addition to the Skull Valley Indian Reservation

Skull Valley Indian Reservation. Land added to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the south half of section 14, township 5 south, range 8 west of the Salt Lake meridian, Utah, on the public domain, be, and the same is hereby, reserved as an

addition to the Skull Valley Indian Reservation: *Provided*, That the rights and claims of any bona fide settler initiated under the public land laws prior to September 2, 1931, the date of withdrawal of the land from all form of entry, shall not be affected by this Act.

Proviso.
Rights, etc., of prior settlers.

Approved, February 12, 1932.

CHAP. 93.—An Act Authorizing the Secretary of the Interior to sell certain unused Indian cemetery reserves on the Wichita Indian Reservation in Oklahoma to provide funds for purchase of other suitable burial sites for the Wichita Indians and affiliated bands

March 28, 1932.
[S. 3409.]
47 Stat., 74.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to advertise and sell to the highest bidder for cash, at not less than the appraised value, the following-described tracts of land on the Wichita Indian Reservation in Oklahoma: Southeast quarter southeast quarter, section 3, township 9 north, range 10 west, Indian meridian, in Oklahoma, forty acres; and north half northeast quarter northwest quarter and southeast quarter northeast quarter northwest quarter, section 10, township 7 north, range 10 west, Indian meridian, in Oklahoma, thirty acres: *Provided*, That the proceeds derived therefrom shall be used by the Secretary of the Interior in purchasing suitable tracts of land more conveniently situated, which may be desired by the Wichita and affiliated bands of Indians for cemetery purposes: *And provided further*, That there shall be reserved to the Indian owners all coal, oil, gas, or other mineral deposits found at any time in the land.

Wichita Indian Reservation, Okla.

Sale of lands in, authorized.

Description.

Provisos.
Purchase of tracts for cemetery purposes.

Reservation of mineral rights.

Approved, March 28, 1932.

CHAP. 95.—An Act For the temporary relief of water users on irrigation projects constructed and operated under the reclamation law [1]

April 1, 1932.
[S. 3706.]
47 Stat., 75.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any irrigation district, water-users' association, or other water-users' organization under contract with the United States for payment of construction charges under the Act of June 17, 1902 (32 Stat. 388), or Acts amendatory thereof or supplementary thereto, including the Act of February 21, 1911 (36 Stat. 923) (upon acceptance of this Act by resolution of its board of directors or corresponding body), shall be required to make no payment on the regular construction charge for the calendar year 1931, and in lieu of the regular installment of construction charge provided for under existing contracts, may pay for the calendar year 1932 on the basis of 50 per centum of the amount which, but for this Act, would be payable under said contracts, such amount to be computed and determined for that year in the manner provided in said contracts and the law applicable thereto. Interest and penalty as now provided by law and contracts for nonpayments when due shall apply on all charges for 1932 adjusted as herein authorized; and otherwise the deferred payments herein authorized shall bear interest until paid at such rate, and shall be paid at such times, as the Secretary of the Interior shall determine: *Provided*, That in determining the rate for the sale of power during the irrigation season of 1931 to irrigation districts from any power plant operated by the Bu-

Irrigation on reclamation projects.
Payments of construction charges deferred.
32 Stat., 388.
36 Stat., 925.

Calendar year 1931.

1932.

Application of interest and penalty provisions.

Provisos.
Interest as element in determination of power rate.

[1] Made applicable to Indian reclamation projects, see post, 298, 328; 54 I. D. D., 90.

reau of Reclamation, interest on the cost of the power system shall not be included as an element, but interest at the rate of 2½ per centum per annum shall be included as an element of such rate for the sale of power to such districts during the irrigation season of 1932: *And provided further*, That the payments for construction charges and interest payments on the cost of the power systems referred to in this Act shall not be deemed waived, but only deferred, and shall be paid as provided in this Act.

Construction charges and interest payments not waived.

Benefits to apply to individual water-right applicants.

SEC. 2. On projects or divisions of projects where no irrigation district, water-users' association, or other water-users' organization has assumed joint obligation for payment of construction charges individual water-right applicants or entrymen upon acceptance of this Act in a manner satisfactory to the Secretary of the Interior, shall be required to make no payment on the regular construction charge for the calendar year 1931, and in lieu of the installments payable under existing contracts, may pay their regular installments of construction charges for the calendar year 1932 on the same basis as that authorized in section 1 hereof for districts, associations, and other water-users' organizations.

Uncompahgre reclamation project, Colo.
46 Stat., 1974; ante, 196, 245.

Construction of drainage systems on, deferred.
Payment.

SEC. 3. The Act of Congress approved January 31, 1931, entitled "An Act for the relief of the Uncompahgre reclamation project, Colorado" (Private, Numbered 300, Seventy-first Congress), is hereby amended to extend for one year from and after January 1, 1932, the time for beginning construction of drainage system upon the Uncompahgre project, and any and all construction charges accruing upon or for said project for or during the year 1932, shall be deferred and included in and made payable as a part of the project supplemental construction charge provided for in said Act of January 31, 1931; and in order to afford opportunity to complete the construction authorized by the Act of Congress approved February 21, 1931 (Public, Numbered 708), relating to the Grand Valley reclamation project, Colorado, any and all construction charges accruing upon or for said project for or during the year 1932 shall be deferred and shall be included in and made payable as project supplemental construction charges under the terms as provided in this Act.

Grand Valley reclamation project, Colo.
46 Stat., 1202; ante, 230.
Construction charges deferred.

Resumption of payments of charges under existing contracts.

SEC. 4. At the expiration of the period for which deferment of charges is made under this Act, all districts, water-users' associations, or other water-users' organizations, and all individuals accepting the provisions hereof shall resume payment of charges on the basis of and in accordance with existing contracts and shall continue payments thereafter until the entire indebtedness of said districts, water-users' associations, or other water-users' organizations, and individuals to the United States shall have been fully paid. In the case of a district, water-users' association or other water-users' organization, or individual having contracts executed pursuant to the Act of February 21, 1911 (36 Stat. 925), the Act of August 13, 1914 (38 Stat. 686), or the Act of May 25, 1926 (444 Stat. 636)[1], or any special Act the deferred construction installment or installments for the calendar year 1931, and that portion of the 1932 installment or installments deferred, together with the installment or installments of deferred construction and/or operation and maintenance for 1931 and 50 per centum of the installment and/or installments of such deferred charges for 1932, shall be paid as an additional installment to be due and payable one year after the date the last installment under existing contracts shall become due, except in those cases in which the Secretary of the Interior,

When deferred construction installments due.

36 Stat., 925; 38 Stat., 686; 44 Stat., 636.

Exception.

[1] So in original.

whose decision shall be final, shall find necessary additional installments, which he is hereby authorized to fix. In the case of any district, water-users' association, or other water-users' organization, or individual under contract for payment of construction charge pursuant to subsection F, section 4, Act of December 5, 1924 (43 Stat. 702), construction payments shall be continued on the basis of existing contracts until the entire indebtedness to the United States, including all charges deferred pursuant to this Act, shall have been fully paid. Installments so carried over shall be subjected to the reductions provided for in section 8 hereof.

Additional installments authorized.

When construction payments to continue under existing contracts.
43 Stat., 702.
Reductions.

SEC. 5. The Secretary of the Interior, in his discretion, and upon acceptance of the provisions of this section by the water users affected, in the manner provided in sections 1 and 2 hereof, may permit adjustment of construction and/or operation and maintenance charges heretofore deferred by contracts made pursuant to existing law to be made for the years 1931 and 1932 on the basis authorized in sections 1 and 2 hereof or on such other basis as the Secretary may find to be required in each case.

Adjustment of construction, operation, and maintenance charges.

SEC. 6. The Secretary of the Interior, in his discretion, is further authorized to defer the payment to the United States from any water-users' organization, as defined in section 1 hereof and from any individual water-right applicant or entryman of construction charges and installments of deferred construction and/or deferred operation and maintenance charges for the calendar year 1930 and prior thereto. Such deferred charges, together with penalty or interest to December 31, 1931, under existing laws and contracts shall be paid in such annual installments as the Secretary of the Interior may fix.

Payment of construction, etc., charges, for 1930, etc., deferred.

Annual installments.

SEC. 7. Any irrigation district, water-users' association, or other water-users' organization which has contracted to pay construction charges and which is not in arrears for more than one calendar year in the payment of any construction, operation, and maintenance, or other charge due by it to the United States may, at its option, deliver or authorize the delivery of water during the years 1932 and 1933 to water users who may be more than one year in arrears in the payment of charges or assessments due from such landowner or water user to the district or association.

Delivery of water to delinquent individual user.

SEC. 8. In the case of any irrigation district, water-users' organization, or individual, receiving credits on account of power profits or other revenues under the provisions of subsections I and/or J, section 4, Act of December 5, 1924 (43 Stat. 703), or any other Act of Congress, when any extension is granted as provided in section 1, 2, or 4 the amount of such credits shall be deducted from the amount of any payment so extended: *Provided*, That the provisions of this section shall not apply to power profits or other revenues derived from works not constructed at the expense of the United States. The credits, if any, in excess of the payment so extended shall be applied as now provided by law and contract. Acceptance of the provisions of this Act shall operate as a waiver of any law and/or contract providing for application of credits different from that in this section prescribed.

Power sale profits to be deducted from payments.

43 Stat., 703.

Proviso.
Not applicable unless Federal construction.

Credits in excess of payment.
Effect of acceptance hereof.

SEC. 9. Collections of construction charges for the calendar year 1931 (which charges are subject to adjustment and are adjusted under sections 1, 2, and 4 of this Act) and penalties and interest, if any, from water-users' organizations and individual water-right applications or landowners, heretofore made under existing contracts, shall be credited upon the succeeding payments as they become due, including operation and maintenance charges.

Crediting payments of construction charges for 1931.

Deferment of the repayment of moneys advanced to reclamation fund.
36 Stat., 835.
46 Stat., 1507.

SEC. 10. That the Act of June 25, 1910, entitled "An Act to authorize advances to the reclamation fund, and for the issue and disposal of certificates of indebtedness in reimbursement therefor, and for other purposes," as amended, and the Act of March 3, 1931 (46 Stat. 1507), are hereby amended so as to provide that payments in reimbursement of moneys so advanced under these Acts and not heretofore repaid shall be made by transfer annually from the reclamation fund to the general funds of the Treasury beginning July 1, 1934.

Approved, April 1, 1932.

April 21, 1932.
[S. 1719.]
47 Stat., 87.

CHAP. 122.—An Act Amending the Act of Congress entitled "An Act authorizing the Wichita and affiliated bands of Indians in Oklahoma to submit claims to the Court of Claims," approved June 4, 1924[1]

Wichita Indians, etc., Okla.
43 Stat., 366, vol. 4, 421.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act of Congress entitled "An Act authorizing the Wichita and affiliated bands of Indians in Oklahoma to submit claims to the Court of Claims," approved June 4, 1924 (43 Stat. 366), be, and the same hereby is, amended to read as follows:

Determination of attorneys' fees.

"SEC. 3. That upon the final determination of such suit or suits the Court of Claims shall have jurisdiction to fix and determine a reasonable fee, not to exceed 10 per centum of the recovery, together with all necessary and proper expenses incurred in the preparation and prosecution of said suit or suits, to be paid to the attorneys employed by said Wichita and affiliated bands of Indians, and the same shall be included in the decree and paid out of any sum or sums found to be due said Indians: *Provided*, That the balance of such judgment shall be placed in the United States Treasury to the credit of the Indians entitled thereto, where it shall draw interest at the rate of 4 per centum per annum, and shall be thereafter subject to appropriation by Congress for educational, health, industrial, and other purposes for the benefit of said Indians, and no part of said judgment shall be paid out in per capita payments to said Indians unless authorized by Congress."

Payment.

Proviso.
Balance of judgment deposited in Treasury.

Approved, April 21, 1932.

April 21, 1932.
[S. 3560.]
47 Stat., 88.

CHAP. 123.—An Act To amend the Act of May 27, 1930, authorizing an appropriation for the reconstruction and improvement of a road on the Shoshone Indian Reservation, Wyoming

Wind River Indian Reservation, Wyo.
Road construction on.

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 authorizing reconstruction and improvement of a public road in Wind River Indian Reservation, Wyoming," approved May 27, 1930 (46 Stat. 430), is hereby amended by adding the following sections:

46 Stat., 430; ante, 173.

Payments for rights of way, etc.

"SEC. 2. In connection with the construction of such road, payment may be made for rights of way across Indian lands and also of the total irrigation construction costs and accrued operation and maintenance charges on affected lands.

Disbursement of State funds.

"SEC. 3. Any funds provided by the State of Wyoming shall not be subject to the requirement in section 1 hereof for the employment of Indian labor."

Approved, April 21, 1932.

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[1] 89 Ct. Cls., 378.

CHAPTER 124.—An Act To provide for the leasing of the segregated coal and asphalt deposits of the Choctaw and Chickasaw Indian Nations, in Oklahoma, and for an extension of time within which purchasers of such deposits may complete payments

April 21, 1932.
[S. 3655.]
47 Stat., 88.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and empowered, under rules and regulations to be prescribed by him, and upon such terms and conditions as he may deem proper, not inconsistent with this Act, to lease to citizens of the United States or any association of such persons, or to any corporation organized under the laws of the United States or of any State or Territory thereof, any developed tract of the unsold coal and asphalt deposits of the Choctaw and Chickasaw Nations, in Oklahoma, such leases to be entered into on behalf of said nations by the Choctaw and Chickasaw mining trustee or such other officer as the Secretary of the Interior may designate, and said lessees, subject to the approval of the Secretary of the Interior, said leases and the mining operations thereon to be under the supervision and control of said mining trustee: *Provided*, That the rate of royalty for coal mined shall not be less than 8 cents per ton at the mine, payable monthly, and that the leases shall require the mining of a minimum of fifteen thousand tons of coal per annum from each tract leased, or the payment of royalty thereon at the said rate the same as if the coal had been mined: *Provided further*, That $500 of the annual minimum tonnage royalty shall be paid annually in advance, beginning with the date of approval of the lease by the Secretary of the Interior, that the royalty paid on the minimum tonnage for any year shall not be applied on the minimum royalty due for any prior or subsequent year, and all moneys received as royalties or otherwise for leases made under the provisions of this Act shall be deposited in the Treasury of the United States to the credit of the Choctaw and Chickasaw Indian Nations; that no lease shall be made to extend for a period of more than fifteen years from and after September 25, 1932; that the Secretary of the Interior, in his discretion, may add to any developed lease, upon application of the lessee, not more than six hundred and forty acres of the segregated unleased coal deposits, where it is shown that such additions are necessary for the successful operation of such lease; that the tracts to be added must be contiguous to the leased deposits of the lessee, such additional acreage to be subject to the rules and regulations prescribed by the Secretary of the Interior under this Act; that the lease on the added area shall expire at the same time as the lease of which it becomes a part; and the rate of royalty on coal mined on the added area shall be the same as that fixed by this Act.

Choctaw and Chickasaw Indians, Okla.
Lease of coal and asphalt deposits of, authorized.

Supervision and control.

Provisos.
Payment of royalties.

Part in advance.

Deposit in Treasury.

Time limit of leases.

Addition to developed lease authorized.

Condition.

Expiration date.

Royalty rate.

SEC. 2. That the prior lessee of any developed lease, who has paid all moneys due on coal mined thereon, or any person or corporation which by judicial sale or otherwise has succeeded or may succeed to any right of a former lessee in any developed lease, shall be given the preference right to a new lease on such developed premises, if in the opinion of the Secretary of the Interior the granting of such right will fully protect the interest of the Indians. The said parties shall be allowed thirty days after notice from the Superintendent of the Five Civilized Tribes or other official designated by the Secretary of the Interior within which to apply for new leases.

Preference right of prior lessee.

Time for application.

SEC. 3. That the Choctaw and Chickasaw mining trustee, or such officer as the Secretary of the Interior shall designate, is hereby

Examination of accounts books, etc.

authorized to examine the books and accounts of lessees who shall submit, upon oath, statements and reports, in such form and on such blanks as the Secretary of the Interior may require. Lessees shall report each month under oath to the Superintendent for the Five Civilized Tribes or to any other officer designated by the Secretary of the Interior, the quantity of coal mined on each lease during the previous month, and shall pay the royalty due thereon, as required by the rules and regulations prescribed under this Act. The failure of any lessee to make such report and pay such royalty within sixty days after such report and royalty become due shall subject the lease to cancellation, whereupon all advance and minimum royalties to the credit of such lease shall be forfeited and become the property of the nations, and any lessee making a false report, statement, or representation shall be subject to punishment as for perjury: *Provided*, That no lessee shall assign or sublease his estate, term, or interest in any lease without the written approval of the Secretary of the Interior, and a violation of this provision shall subject the lease so assigned or subleased to cancellation by the Secretary of the Interior, whereupon all advance and minimum royalties to the credit of the lease shall be forfeited and become the property of said nation.

Monthly report of lessee.

Cancellation upon failure.

Punishment for false report, etc.

Proviso.
Assignment of lease.

SEC. 4. That within thirty days from the approval of this Act any person owing a balance on any tract of the tribal coal and asphalt deposits, purchased under the Act of February 8, 1918 (40 Stat. L. 433), as amended by subsequent Acts, may make application to the Secretary of the Interior for an extension of time within which to pay his balance, which application must be accompanied by 10 per centum of such balance, including principal and interest. Upon approval of such application by the Secretary of the Interior such purchaser may be allowed five years from May 25, 1932, to pay the remaining 90 per centum of the amount due by him, said balance to be paid annually in five equal installments, the first installment to be due and payable one year from May 25, 1932, and subsequent installments to be due and payable on or before May 25 of each year thereafter, all deferred payments to bear interest of 6 per centum per annum: *Provided*, That upon failure of a purchaser to pay any installment for a period of sixty days from the due date, the Secretary of the Interior shall cancel the sale, whereupon all payments theretofore made thereon shall be forfeited to the Choctaw and Chickasaw Nations: *Provided further*, That a purchaser may pay the entire balance due on any purchase at the time of payment of any installment, and thereupon be entitled to a patent as authorized by the statutes providing for the sale of said mineral deposits.

Application of delinquent owners for extension.

40 Stat., 433, vol. 4, 143.
Part payment to accompany.

Payment of balance.

Cancellation upon failure to pay installment.

Payment of balance.

SEC. 5. That the purchaser of any tract on which coal or asphalt is mined shall pay each month to the Superintendent for the Five Civilized Tribes, or such other officer as may be designated by the Secretary of the Interior, a sum equal to not less than 15 cents per ton mine run for coal mined, and not less than 10 cents per ton on crude, and 60 cents per ton on refined asphalt mined, such payments to be applied on request of the purchaser on any installment of the purchase price when due.

Monthly payments for mined coal and asphalt.

SEC. 6. The Choctaw and Chickasaw mining trustee, or any other official designated by the Secretary of the Interior, shall have the right to examine all records of operations of any purchaser on a purchased tract; and all payments on monthly output shall be under oath to the Superintendent of the Five Civilized Tribes, the same as payments made by lessees of unsold tracts.

Examination of records of operation.

SEC. 7. That the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations not

Rules and regulations.

inconsistent with this Act as may be deemed necessary and proper for the protection of the interests of said nations and for the purpose of carrying the provisions of this Act into full force and effect: *Provided*, That upon the expiration of any developed lease, if the lessee thereof shall not apply for its renewal, or if the sale of any coal or asphalt tract upon which operations have begun shall be forfeited and canceled, the Secretary of the Interior is hereby authorized to take possession of said expired lease or canceled tract and dispose of the same under the provisions of this Act, or take whatever steps may be necessary to preserve and protect such property: *Provided further*, That nothing in this Act shall be construed or held to affect in any way the right to dispose of the coal and asphalt deposits of the Choctaw and Chickasaw Nations by sale as now authorized by law.

Provisos.
Disposition of forfeited or canceled tracts.

Right to dispose of deposits not affected.

Approved, April 21, 1932.

CHAP. 125.—An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1933, and for other purposes

April 22, 1932.
[H. R. 8397.]
47 Stat., 91.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1933, namely:

Interior Department appropriations, fiscal year 1932.

OFFICE OF THE SECRETARY

Secretary's office.

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CONTINGENT EXPENSES, DEPARTMENT OF THE INTERIOR

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Books, periodicals, etc.

For the purchase or exchange of professional and scientific books, law and medical books, and books to complete broken sets, periodicals, directories, and other books of reference relating to the business of the department, $500, and in addition there is hereby made available from any appropriations made for any bureau or office of the department not to exceed the following respective sums: Indian Service, $500; Office of Education, $1,800; Bureau of Reclamation, $1,800; Geological Survey, $3,000; National Park Service, $1,000; General Land Office, $500.

Office allotments.

* * * * * * *

EXPENSES OF INDIAN COMMISSIONERS

Indian Commissioners.

For expenses of the Board of Indian Commissioners, $14,100, of which amount not to exceed $9,000 may be expended for personal services in the District of Columbia.

GENERAL LAND OFFICE

General Land Office.

* * * * * * *

Indian reservations. Opening to entry.

Opening Indian reservations (reimbursable): For expenses pertaining to the opening to entry and settlement of such Indian reservation lands as may be opened during the fiscal year 1933, $300: *Provided*, That the expenses pertaining to the opening of each of said reservations and paid for out of this appropriation shall be reimbursed to the United States from the money received from the sale of the lands embraced in said reservations, respectively.

Proviso.
Reimbursement.

Indian Affairs Bureau.

BUREAU OF INDIAN AFFAIRS

SALARIES

Commissioner, and office personnel.

For the Commissioner of Indian Affairs and other personal services in the District of Columbia, $400,000.

General expenses.

GENERAL EXPENSES

Transportation, etc.

For transportation and incidental expenses of officers and clerks of the Bureau of Indian Affairs when traveling on official duty; for telegraph and telephone toll messages on business pertaining to the Indian Service sent and received by the Bureau of Indian Affairs at Washington, and for other necessary expenses of the Indian Service for which no other appropriation is available, $16,000, and in addition thereto the unexpended balance for this purpose for the fiscal year 1932 is continued available for the same purpose for the fiscal year 1933.

Balance available.

46 Stat., 1119; ante, 204.

Supplies.

Purchase, transportation, etc.

For expenses necessary to the purchase of goods and supplies for the Indian Service, including inspection, pay of necessary employees, and all other expenses connected therewith, including advertising, storage, and transportation of Indian goods and supplies, $650,000: *Provided*, That no part of this appropriation shall be used in payment for any services except bill therefor is rendered within one year from the time the service is performed.

Proviso. Limitation on payments.

Field representatives.

For salaries, traveling, and incidental expenses of field representatives of the Commissioner of Indian Affairs, $20,000.

Judges.

For pay of judges of Indian courts where tribal relations now exist, at rates to be fixed by the Commissioner of Indian Affairs, $15,000.

Police.

For pay of Indian police, including chiefs of police at not to exceed $70 per month each and privates at not to exceed $50 per month each, to be employed in maintaining order, and for purchase of equipments and supplies, $150,000.

Suppression of liquor traffic.

For the suppression of the traffic in intoxicating liquors and deleterious drugs, including peyote, among Indians, $100,000.

Agency buildings. Lease, purchase, repair, etc.

For lease, purchase, repair, and improvement of agency buildings, exclusive of hospital buildings, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $165,000; for construction of physical improvements, exclusive of hospitals, $30,000; in all, $195,000: *Provided*, That not more than $7,500 shall be expended for new construction at any one agency.

Proviso. Limitation.

Vehicles. Allowance for maintenance.

Not to exceed $200,000 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for the use of superintendents, farmers, physicians, field matrons, allotting, irrigation, and other employees in the Indian field service: *Provided*, That not to exceed $1,000 may be used in the purchase of horse-drawn passenger-carrying vehicles, and not exceed [1] $100,000 for the purchase and exchange of motor-propelled passenger-carrying vehicles, and that such vehicles shall be used only for official service.

Proviso. Purchase limited.

Emergency allowance by diversions from Specified appropriations.

That to meet possible emergencies not exceeding $75,000 of the appropriations made by this Act for support of reservation and nonreservation schools, for school and agency buildings, and for conservation of health among Indians shall be available, upon approval

[1] So in original.

of the Secretary of the Interior, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Indian Service above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: *Provided*, That the limitations for new construction contained in the appropriations for Indian school, agency, and hospital buildings shall not apply to such emergency expenditures: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Provisos.
Building construction allowed.

Report to Congress.

Not to exceed $10,000 shall be available from applicable funds for expenses (not membership fees) of employees of the Indian Service when authorized by the Secretary of the Interior to attend meetings of medical, health, educational, agricultural, forestry, engineering, and industrial associations in the interest of work among the Indians.

Attendance at meetings.

EXPENSES IN PROBATE MATTERS

Probate matters.

For the purpose of determining the heirs of deceased Indian allottees having right, title, or interest in any trust or restricted property, under regulations prescribed by the Secretary of the Interior, $60,000, reimbursable as provided by existing law, of which $13,250 shall be available for personal services in the District of Coumbia: *Provided*, That the provisions of this paragraph shall not apply to the Osage Indians nor to the Five Civilized Tribes of Oklahoma.

Determining heirs of allottees.

Services in the District.

Proviso.
Tribes excepted.

For salaries and expenses of such attorneys and other employees as the Secretary of the Interior may, in his discretion, deem necessary in probate matters affecting restricted allottees or their heirs in the Five Civilized Tribes and in the several tribes of the Quapaw Agency, and for the costs and other necessary expenses incident to suits instituted or conducted by such attorneys, $30,000: *Provided*, That no part of this appropriation shall be available for the payment of attorneys or other employees unless appointed after a competitive examination by the Civil Service Commission and from an eligible list furnished by such commission.

Five Civilized Tribes and Quapaws.
Attorneys, etc., for.

Proviso.
Restricted to Civil Service eligibles.

INDIAN LANDS

Indian lands.

For the survey, resurvey, classification, and allotment of lands in severalty under the provisions of the Act entitled "An Act to provide for the allotment of lands in severalty to Indians," approved February 8, 1887 (U. S. C., title 25, sec. 331), and under any other Act or Acts providing for the survey or allotment of Indian lands, $30,000: *Provided*, That no part of said sum shall be used for the survey, resurvey, classification, or allotment of any land in severalty on the public domain to any Indian, whether of the Navajo or other tribes, within the State of New Mexico and the State of Arizona, who was not residing upon the public domain prior to June 30, 1914.

Surveying, allotting, etc. in severalty.

24 Stat., 388, vol. 1, 33. U. S. C., p. 711.

Proviso.
Use in New Mexico and Arizona limited.

For carrying out the provisions of section 13 of the Act entitled "An Act to quiet the title to lands within Pueblo Indian land grants, and for other purposes," approved June 7, 1924 (43 Stat., p. 636), $10,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1932.

Pueblo Board.
43 Stat., 640, vol. 4, 458.
46 Stat., 1121; ante, 206.

For the payment of newspaper advertisements and printing locally of posters of sales of Indian lands, $500, reimbursable for payments by purchasers of costs of sale, under such rules and regulations as the Secretary of the Interior may prescribe.

Advertising land sales.

For the pay of one special attorney for the Pueblo Indians of New Mexico, to be designated by the Secretary of the Interior, and for necessary traveling expenses of said attorney, $3,700.

Pueblo Indians, N. Mex.
Attorney for.

Pueblo Indian lands, N. Mex.
Quieting titles in, etc.
43 Stat., 636, vol. 4, 454.

For carrying out the provisions of the Act of June 7, 1924 (43 Stat., p. 636), to quiet title in Pueblo Indian lands, New Mexico, and in settlement for damages for lands and water rights lost to the Indians of the pueblos as recommended in the respective reports of the Pueblo Lands Board thereon, the sum of $112,435.33, as follows:

Payments to designated pueblos.

Santa Clara, supplemental, $27,154.87; Picuris, supplemental, $15,625.69; Pojoaque, $51,679.79; Pojoaque, supplemental, $4,844.42; Cochiti, supplemental, $13,130.56: *Provided*, That appropriations heretofore made for the purchase of land and water rights and fencing, irrigating, and improving the lands of the Santo Domingo, Nambe, Sandia, Taos, San Felipe, Tesuque, San Juan, Isleta, Cochiti, and Picuris pueblos, are hereby continued available until June 30, 1933.

Proviso.
Sums reappropriated.
46 Stat., 286, 1122; ante, 151, 209.

Cahuilla Indian Reservation.
Purchase of additional land.
46 Stat., 1522; ante, 239.

For the purchase of land for addition to the Cahuilla Indian Reservation, California, as authorized by and in accordance with the Act of March 4, 1931 (46 Stat., p. 1522), $2,560.

Fort Apache Reservation.
Land purchase.
46 Stat., 1517; ante, 234.

For the purchase of certain land and appurtenances thereto situated within the exterior boundaries of the Fort Apache Reservation, Arizona, as authorized by and in accordance with the Act of March 4, 1931 (46 Stat., p. 1517), $1,300, payable from funds on deposit to the credit of the Fort Apache Indians.

Navajo Indians.
Purchase of additional land, etc.
45 Stat., 899; ante, 59.
Balance available.
46 Stat., 1122; ante, 209.

For purchase, or lease pending purchase, of additional land and water rights for the use and benefit of Indians of the Navajo Tribe as authorized to be acquired by the Act of May 29, 1928 (45 Stat., p. 899), the unexpended balances of the appropriations available for this purpose for the fiscal year 1932 are hereby continued available for the same purpose and subject to the same conditions and provisions until June 30, 1933: *Provided*, That title to all such lands so purchased shall be taken in the name of the United States in trust for the Navajo Tribe, and in purchasing such lands title may be taken, in the discretion of the Secretary of the Interior, for the surface only.

Proviso.
Title for surface only.

Shawnee Indians.
Paying award to, under treaty obligations.
15 Stat., 516, vol. 2, 962.
45 Stat., 1550; ante, 92.

The unexpended balance of the appropriation of $109,746.25 contained in the First Deficiency Act, fiscal year 1930, for payment to the loyal Shawnee Indians in settlement of their claim arising under the twelfth article of the treaty with said Indians proclaimed October 14, 1868 (15 Stat., p. 513), as authorized by and in accordance with the Act of March 4, 1929, is hereby continued available until June 30, 1933.

Kiowas, etc., Okla.
Payment to, from royalty funds.
44 Stat., 740; vol. 4, 558.

For payment to the Kiowa, Comanche, and Apache Indians, of Oklahoma, under such rules and regulations as the Secretary of the Interior may prescribe, $125,000, from the tribal trust fund established by joint resolution of Congress, approved June 12, 1926 (44 Stat., p. 740), being a part of the Indians' share of the money derived from the south half of the Red River in Oklahoma: *Provided*, That said sum herein made available shall be paid out in two equal installments—one during the month of October and one during the month of March.

Proviso.
Payable in two installments.

Industrial assistance and advancement.

INDUSTRIAL ASSISTANCE AND ADVANCEMENT

Timber preservation, etc.

For the preservation of timber on Indian reservations and allotments other than the Menominee Indian Reservation in Wisconsin, the education of Indians in the proper care of forests, and the general administration of forestry and grazing work, including fire prevention and payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires in contravention of law on Indian lands, $200,000: *Provided*, That this appropriation shall be available for the expenses of administration of

Proviso.
Administration of forest lands from timber sales, etc.

Indian forest lands from which timber is sold to the extent only that proceeds from the sales of timber from such lands are insufficient for that purpose.

Timber sales, etc. expenses.

For expenses incidental to the sale of timber, and for the expenses of administration, including fire prevention, of Indian forest lands from which such timber is sold to the extent that the proceeds of such sales are sufficient for that purpose, $125,000, reimbursable to the United States as provided in the Act of February 14, 1920 (U. S. C., title 25, sec. 413): *Provided*, That this appropriation shall be available for the payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires in contravention of law.

Reimbursable.
41 Stat., 415, vol. 4, 238.
U. S. C., p. 720.
Proviso
Rewards for information.

Klamath Reservation, Oreg.
Forest insect control.

For continuation of forest insect control work on the Klamath Indian Reservation in Oregon, $20,000, payable from funds on deposit in the Treasury to the credit of the Klamath Indians.

Emergency forest fire suppression.
From tribal funds.

Provisos.
Funds available.

For the suppression or emergency prevention of forest fires on or threatening Indian reservations, $40,000, together with $25,000 from funds held by the United States in trust for the respective tribes of Indians interested: *Provided*, That not to exceed $50,000 of appropriations herein made for timber operations and for support and administration purposes may be transferred, upon the approval of the Secretary of the Interior, for fire suppression or emergency prevention purposes and allotments of funds so transferred shall be made by the Secretary of the Interior only after the obligation for the expenditure has been incurred: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Only after incurring obligation therefor.

Report to Congress.

Geological survey.
Supervising mining operations.

For transfer to the Geological Survey for expenditures to be made in inspecting mines and examining mineral deposits on Indian lands and in supervising mining operations on restricted, tribal, and allotted Indian lands leased under the provisions of the Acts of February 28, 1891 (26 Stat., p. 795), May 27, 1908 (35 Stat., p. 312), March 3, 1909 (U. S. C., title 25, sec. 396), and other Acts authorizing the leasing of such lands for mining purposes, $60,000.

26 Stat., 795, vol. 1, 57.
35 Stat., 312, 444, 783, vol. 3, 351, 444, 683.
U. S. C., p. 717.

Employment for Indians.
Balance available.
46 Stat., 1123; ante, 210.

For the purpose of obtaining remunerative employment for Indians, $60,000, and the unexpended balance for this purpose for the fiscal year 1932 is continued available for the same purpose for the fiscal year 1933.

Developing agriculture and stock raising.

For the purpose of developing agriculture and stock raising among the Indians, including necessary personnel, traveling and other expenses, and purchase of supplies and equipment, $382,000, of which not to exceed $15,000 may be used to conduct agricultural experiments and demonstrations on Indian school or agency farms and to maintain a supply of suitable plants or seed for issue to Indians.

Agricultural experiments on farms.

Encouraging farming for self-support.

Purchases authorized.

For the purpose of encouraging industry and self-support among the Indians and to aid them in the culture of fruits, grains, and other crops, $475,000, which sum may be used for the purchase of seeds, animals, machinery, tools, implements, and other equipment necessary, and for advances to Indians having irrigable allotments to assist them in the development and cultivation thereof, in the discretion of the Secretary of the Interior, to enable Indians to become self-supporting: *Provided*, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1938, except in the case of loans on irrigable lands for permanent improvement of said lands, in which the period for repayment may run for not exceeding twenty years in the discretion of the Secretary of the Interior: *Provided further*, That $150,000 shall be immediately available for ex-

Proviso.
Repayment.

Pima Indians.
Limit to one tribe.

penditures for the benefit of the Pima Indians and not to exceed $25,000 of the amount herein appropriated shall be expended on any other one reservation or for the benefit of any other one tribe of Indians: *Provided further*, That no part of this appropriation shall be used for the purchase of tribal herds: *Provided further*, That the Secretary of the Interior is hereby authorized, in his discretion and under such rules and regulations as he may prescribe, to make advances from this appropriation to old, disabled, or indigent Indian allottees, for their support, to remain a charge and lien against their lands until paid: *Provided further*, That advances may be made to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe.

Tribal herds excepted.

Advances to old, etc., allottees.

Liens against lands.
Education of Indian youths.

Industrial assistance.
Construction of homes, purchase of equipment, supplies, etc.
Advances to old, etc., Indians.

Industrial assistance (tribal funds): For the construction of homes for individual members of the tribes; the purchase for sale to them of seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support, and Indians having irrigable allotments to assist them in the development and cultivation thereof, the unexpended balances of the appropriations under this head contained in the Interior Department Appropriation Act for the fiscal year 1932 are hereby continued available during the fiscal year 1933: *Provided*, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1938, except in the case of loans on irrigable lands for permanent improvement of said lands in which the period for repayment may run for not exceeding twenty years, in the discretion of the Secretary of the Interior, and advances to old, disabled, or indigent Indians for their support, which shall remain a charge and lien against their land until paid: *Provided further*, That advances may be made to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That all moneys reimbursed during the fiscal year 1933 shall be credited to the respective appropriations and be available for the purposes of this paragraph.

46 Stat., 1124; ante, 210.

Provisos.
Conditions of repayment.

Loans on irrigable lands.

Reimbursement of advances to youths for educational purposes.

Credit of moneys reimbursed.

Availability.

Livestock infected with dourine.
Reimbursement for destroyed.
Balance reappropriated.
46 Stat., 1124; ante, 210.

For reimbursing Indians for livestock destroyed on account of being infected with dourine, and for expenses in connection with the work of eradicating and preventing such disease, $9,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1932, to be expended under such rules and regulations as the Secretary of the Interior may prescribe.

Scabies in sheep and goats.
Eradication, etc., in.

For assisting Indians in the eradication of scabies in their sheep and goats, $50,000, which amount may be transferred by the Secretary of the Interior, with the approval of the Secretary of Agriculture, to the Bureau of Animal Industry for direct expenditure.

Water supply.

DEVELOPMENT OF WATER SUPPLY

Developing, conserving, etc.

Developing water supply: For improving springs, drilling wells, and otherwise developing and conserving water for Indian use, including the purchase, construction, and installation of pumping machinery, tanks, troughs, and other necessary equipment, for opera-

tion and maintenance thereof, and for necessary investigations and surveys for the purpose of increasing the available grazing range on unallotted lands on Indian reservation; for the Navajo and Hopi Indians in Arizona and New Mexico, the Papago Indians in Arizona, and the Pueblo Indian lands in New Mexico, $100,000.

Increasing grazing range.

Developing water supply (from tribal funds): For improving springs, drilling wells, and otherwise developing and conserving water for Indian use, including the purchase, construction, and installation of pumping machinery, tanks, troughs, and other necessary equipment, for operation and maintenance thereof, and for necessary investigations and surveys for the purpose of increasing the available grazing range on unallotted lands on Indian reservations: For the Mescalero Reservation, New Mexico, $5,000; for the Ute Mountain Reservation, Colorado, $15,000; for the Jicarilla Reservation, New Mexico, $6,000; for the Truxton Canyon Reservation, Arizona, $3,000; in all, $29,000; to be paid from funds held in trust for said tribes of Indians, respectively, by the United States.

Improving from tribal funds.

Reservations designated.

Tribal funds.

IRRIGATION AND DRAINAGE

Irrigation and drainage.

For the construction, repair, and maintenance of irrigation systems, and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian reservations and allotments; for operation of irrigation systems or appurtenances thereto when no other funds are applicable or available for the purpose; for drainage and protection of irrigable lands from damage by floods or loss of water rights, upon the Indian irrigation projects named below, in not to exceed the following amounts, respectively:

Construction, maintenance of systems.

Arizona: Ak Chin, $18,000; Chiu Chui, $4,000; Navajo and Hopi, miscellaneous projects, Arizona and New Mexico, $18,000; California: Coachella Valley, $2,000; miscellaneous projects California and southern Arizona, $6,000; Morongo, $4,200; Pala and Rincon, $2,000; Colorado: Southern Ute, $16,000; Nevada: Moapa River, $1,500; Walker River, $7,000; Western Shoshone, $9,500; New Mexico: Miscellaneous pueblos, $2,800; Zuni, $10,000; Washington; Colville, $4,300;

Allotments.

For necessary miscellaneous expenses incident to the general administration of Indian irrigation projects, including pay of employees and their traveling and incidental expenses, $75,000;

Administration.

Irrigation projects, etc.

In all, for irrigation on Indian reservations, not to exceed $163,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1932, which is hereby continued available until June 30, 1933, reimbursable as provided in the Act of August 1, 1914 (U. S. C., title 25, sec. 385): *Provided*, That no part of this appropriation shall be expended on any irrigation system or reclamation project for which public funds are or may be otherwise available: *Provided further*, That the foregoing amounts appropriated for such purposes shall be available interchangeably, in the discretion of the Secretary of the Interior, for the necessary expenditures for damages by floods and other unforseen exigencies, but the amount so interchanged shall not exceed in the aggregate 10 per centum of all the amounts so appropriated: *Provided further*, That the cost of irrigation projects and of operating and maintaining such projects where reimbursement thereof is required by law shall be apportioned on a per acre basis against the lands under the respective projects and shall be collected by the Secretary of the Interior as required by such law, and any unpaid charges outstanding against such lands shall constitute a first lien thereon which shall be recited in any patent or instrument issued for such lands.

Balance available.
46 Stat., 1126; ante, 210.
38 Stat., 583, vol. 4, p. 8.
U. S. C., p. 715.

Provisos.
Use restricted.

Flood damages, etc., expenses interchangeable; limitation.

Apportionment of costs on per acre basis.

Unpaid charges a first lien on property

San Carlos Reservation, Ariz.
Irrigation of tribal lands.
43 Stat., 475, vol. 4, 447.

Florence-Case Grande project.
Maintenance, etc.
Gila River Indian Reservation.
Water delivery to.
Rights of way, etc.

46 Stat., 1126; ante, 211.
45 Stat., 1573; ante, 106.

For all purposes necessary to provide an adequate distributing, pumping, and drainage system for the San Carlos project, authorized by the Act of June 7, 1924 (43 Stat., p. 475), and to continue construction of and to maintain and operate works of that project and of the Florence-Casa Grande project; and to maintain, operate, and extend works to deliver water to lands in the Gila River Indian Reservation which may be included in the San Carlos project, including not more than $5,000 for crop and improvement damages and not more than $5,000 for purchases of rights of way, $75,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1932, which is hereby continued available until June 30, 1933, reimbursable as required by said Act of June 7, 1924, as amended, and subject to the conditions and provisions imposed by said Act as amended.

Colorado River Indian Reservation, Ariz.
Improvements.
36 Stat., 273, vol. 3, 432.

For improvement, operation, and maintenance of the pumping plants and irrigation system on the Colorado River Indian Reservation, Arizona, as provided in the Act of April 4, 1910 (36 Stat., p. 273), $20,000, reimbursable as provided in the aforesaid Act.

Ganado irrigation project.
Operation, etc.

For operation and maintenance of the Ganado irrigation project, Arizona, reimbursable under such rules and regulations as the Secretary of the Interior may prescribe, $3,000.

San Carlos Reservation, Ariz.
Irrigation.

For the operation and maintenance of pumping plants for the irrigation of lands on the San Carlos Reservation in Arizona, $5,000, to be paid from the funds held by the United States in trust for the Indians of such reservation: *Provided*, That the sum so used shall be reimbursed to the tribe by the Indians benefited, under such rules and regulations as the Secretary of the Interior may prescribe.

Proviso.
Reimbursement.

Fort Hall project, Idaho.
Operation.

For improvements, maintenance, and operation of the Fort Hall irrigation system, Idaho, $35,000.

Damage claims.
46 Stat., 1061; ante, 191.

For improvements to the Fort Hall irrigation project, Idaho, including payment of damage claims and purchase of rights of way, as authorized by and in accordance with the provisions of the Act of February 4, 1931 (46 Stat., p. 1061), $250,000, reimbursable as provided in said Act: *Provided*, That no part of this appropriation shall be available for expenditure until repayment contracts shall have been entered into in accordance with the provisions of said Act: *Provided further*, That no part of this appropriation shall be available for the extension of canals or ditches in connection with the Michaud Division.

Proviso
Repayment contracts required.

Michaud Division.
Extension of canals, etc., excepted.

Kootenai Indians, Idaho.
Drainage, etc.
45 Stat., 938; ante, 62.

For the purpose of carrying out the provisions of the Act approved May 29, 1928 (45 Stat., p. 938), to provide reclamation of Kootenai Indian allotments in Idaho within the exterior boundaries of drainage districts that may be benefited by drainage works of such districts, the unexpended balance of the appropriation of $114,000 contained in the Act of March 4, 1929 (45 Stat., p. 1574), is hereby continued available until June 30, 1933.

Balance available.
45 Stat., 1574; ante, 107.

Fort Belknap Reservation, Mont.
Operation, etc.
36 Stat., 270, vol. 3, 429.

For maintenance and operation, repairs, purchase of stored waters, and continuation of construction of the irrigation systems on the Fort Belknap Reservation, in Montana, $17,500, reimbursable in accordance with the provisions of the Act of April 4, 1910 (36 Stat., p. 270).

Fort Peck project, Mont.
Operation of projects.

For maintenance and operation of the Little Porcupine Division, the Big Porcupine Division, and not exceeding four thousand acres under the West Side Canal of the Poplar River Division, Fort Peck project, Montana, $5,000, reimbursable.

Flathead Indian Reservation, Mont.
Operation.

For operation and maintenance of the irrigation systems on the Flathead Indian Reservation, Montana, $12,000; for continuation of construction Camas A betterment, $2,000; completing construction of Lower Crow Reservoir $135,000, together with the unexpended

Continuing construction of designated projects.

balance of the appropriations for continuing construction of the Flathead irrigation system contained in the Interior Department Appropriation Act for the fiscal year 1932; continuing Pablo Reservoir enlargement, $80,000; lateral systems betterment, $20,000; miscellaneous engineering, surveys, and examinations, $5,000; in all, $254,000: *Provided*, That the funds made available herein for continuation of construction shall be subject to the reimbursable and other conditions and provisions of said Acts: *Provided further*, That upon execution by the Jocko district of repayment contract in pursuance to existing law, the operation and maintenance charges for such district for the irrigation season of 1932 shall be covered into construction costs.

46 Stat., 1127; ante, 214.

Provisos.
Reimbursement.
Jocko and Mission districts.
Repayment covered into construction costs.

For improvement, maintenance, and operation, $41,000 (reimbursable).

Improvement, maintenance, etc.

For improvement, maintenance, and operation of the irrigation systems on the Crow Reservation, Montana, including maintenance assessments payable to the Two Leggins Water Users' Association and Bozeman Trail Ditch Company, Montana, properly assessable against lands allotted to the Indians irrigable thereunder $18,000, to be reimbursed under such rules and regulations as may be prescribed by the Secretary of the Interior in accordance with the Act of May 26, 1926 (44 Stat., pp. 658–660).

Crow Reservation, Mont.
Operation of systems.

Reimbursement.
44 Stat., 660, vol. 4, 554.

For operation and maintenance of the irrigation system on the Pyramid Lake Reservation, Nevada, $4,000, reimbursable from any funds of the Indians of this reservation now or hereafter available.

Pyramid Lake Reservation, Nev.
Operation, etc.

For payment of annual installment of reclamation charges against Paiute Indian lands within the Newlands reclamation project, Nevada, $5,381; and for payment in advance, as provided by district law, of operation and maintenance assessments, including assessments for the operation of drains to the Truckee-Carson irrigation district, which district, under contract, is operating the Newlands reclamation project, $10,243, to be immediately available; in all, $15,624.

Newlands projects, Nev.
Paying charges against Paiute lands.

For surveys and investigations for the construction of a dam or dams across the Owyhee River, or other streams within, or adjacent to, the Duck Valley Indian Reservation, Idaho and Nevada, as authorized by and in accordance with the Act of February 28, 1931 (46 Stat., p. 1458), $10,000, to be made immediately available.

Duck Valley Reservation, Idaho and Nev.
Dam construction.

46 Stat., 1458; ante, 233.

For improvement, operation, and maintenance of the irrigation system for the Laguna and Acoma Indians in New Mexico, $5,500, reimbursable by the Indians benefited, under such rules and regulations as the Secretary of the Interior may prescribe.

Laguna and Acoma Indians, N. Mex.
Operation, etc.

For improvement, operation, and maintenance of the Hogback irrigation project on that part of the Navajo Reservation in New Mexico under the jurisdiction of the Northern Navajo Agency, $12,000, reimbursable under such rules and regulations as the Secretary of the Interior may prescribe.

Hogback project, N. Mex.
Operation.

For repair of damage to irrigation systems resulting from flood and for flood protection of irrigable lands on the several pueblos in New Mexico, $5,000, and the unexpended balance of the appropriation for this purpose for the fiscal year 1932 shall be available for the same purpose for the fiscal year 1933.

Flood damages, N. Mex.
Repairs, etc.

46 Stat., 1128; ante, 215.

The unexpended balances of the appropriations contained in the Interior Department Appropriation Act, fiscal year 1932, and the Second Deficiency Appropriation Act, fiscal year 1931, for payment to the Middle Rio Grande Conservancy District in accordance with the provisions of the Act entitled "An Act authorizing the Secretary of the Interior to execute an agreement with the Middle Rio Grande Conservancy District providing for conservation, irrigation, drainage,

Middle Rio Grande Conservancy District N. Mex.
46 Stat., 1128, 1567 ante. 215, 242.

45 Stat., 312; ante 34.

and flood control for the Pueblo Indian lands in the Rio Grande Valley, New Mexico, and for other purposes," approved March 13, 1928 (45 Stat., p. 312), are hereby continued available until June 30, 1933.

Engineers.

For salaries and all other expenses of the Government engineer and assistants appointed in pursuance to contract executed December 14, 1928, by the Secretary of the Interior with the Middle Rio Grande Conservancy District, $5,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1932.

Balance available.
46 Stat., 1128; ante, 214.

Klamath Reservation, Oreg.
Operating projects on.

For improvement, maintenance, and operation of miscellaneous irrigation projects on the Klamath Reservation, $5,000, to be paid from the funds held by the United States in trust for the Klamath Indians in the State of Oregon, said sum, or such part thereof as may be used, to be reimbursed to the tribe under such rules and regulations as the Secretary of the Interior may prescribe.

Uncompahgre, etc., Utes, Utah.
Continuing irrigation of allotments of.

34 Stat., 375, vol. 3, 242.
46 Stat., 1129; ante, 214.

For continuing operation and maintenance and betterment of the irrigation system to irrigate allotted lands of the Uncompahgre, Uintah, and White River Utes in Utah, authorized under the Act of June 21, 1906 (34 Stat., p. 375), and for drainage and water rights investigations, $20,000, together with the unexpended balance of the appropriation for these purposes for the fiscal year 1932, to be paid from tribal funds held by the United States in trust for said Indians, said sum to be reimbursed to the tribal fund by the individuals benefited under such rules and regulations as may be prescribed by the Secretary of the Interior.

Reimbursement to tribal funds.

Yakima Reservation, Wash.
Toppenish-Simcoe unit.
38 Stat., 604, vol 4, 219.

For operation and maintenance, including repairs, of the Toppenish-Simcoe irrigation unit, on the Yakima Reservation, Washington, reimbursable as provided by the Act of June 30, 1919 (41 Stat., p. 28), $1,000.

Wapato project.
Construction.
46 Stat., 1129; ante, 214.

The unexpended balance of the appropriation contained in the Interior Department Appropriation Act, fiscal year 1932, for continuing construction of the Wapato irrigation and drainage system, for the utilization of the water supply provided by the Act of August 1, 1914 (38 Stat., p. 604), is hereby continued available until June 30, 1933.

38 Stat., 504, vol. 4, 30.

Yakima Reservation, Wash.
Water payments.

38 Stat., 604, vol. 4, 30.

For reimbursement to the reclamation fund the proportionate expense of operation and maintenance of the reservoirs for furnishing stored water to the lands in Yakima Indian Reservation, Washington, in accordance with the provisions of section 22 of the Act of August 1, 1914 (38 Stat., p. 604), $11,000.

Satus unit of Wapato project.
Operation, etc.

For completing construction of pumping plant and canals for the irrigation of higher lands in subdivision 2, Satus unit, Wapato project, Yakima Reservation, Washington, $15,000, to be reimbursed under such rules and regulations as the Secretary of the Interior may prescribe.

Wind River Reservation, Wyo.
Extension of irrigation to additional lands.

For the extension of canals and laterals on the ceded portion of the Wind River Reservation, Wyoming, to provide for the irrigation of additional Indian lands, and for the Indians' pro rata share of the cost of the operation and maintenance of canals and laterals and for the Indians' pro rata share of the cost of the Big Bend drainage project on the ceded portion of that reservation, and for continuing the work of constructing an irrigation system within the diminished reservation, including the Big Wind River and Dry Creek Canals, and including the maintenance and operation of completed canals, $45,000, reimbursable as provided by existing law.

Big Bend project.

Big Wind River and Dry Creek Canals.

Expenditure under direction of Commissioner of Indian Affairs.

Appropriations herein for irrigation and drainage of Indian lands shall be available only for expenditure by and under the direction of the Commissioner of Indian Affairs, except for such engineering and

economic studies and construction work as the Secretary of the Interior decides may be more advantageously performed by the Bureau of Reclamation.

EDUCATION

Education.

For the support of Indian schools not otherwise provided for, and other educational and industrial purposes in connection therewith, including tuition for Indian pupils attending public schools, $3,521,500: *Provided*, That not to exceed $15,000 of this appropriation may be used for the support and education of deaf and dumb or blind, physically handicapped, or mentally deficient Indian children: *Provided further*, That $4,500 of this appropriation may be used for the education and civilization of the Alabama and Coushatta Indians in Texas: *Provided further*, That not more than $10,000 of the amount herein appropriated may be expended for the tuition of Indian pupils attending higher educational institutions, under such rules and regulations as the Secretary of the Interior may prescribe, but formal contracts shall not be required, for compliance with section 3744 of the Revised Statutes (U. S. C., title 41, sec. 16), for payment of tuition of Indian pupils attending public schools, higher educational institutions, or schools for the deaf and dumb, blind, physically handicapped, or mentally deficient: *And provided further*, That not to exceed $10,000 of the amount herein appropriated shall be available for educating Indian youth in stock raising at the United States Range Livestock Experiment Station at Miles City, Montana.

Support of schools.

Proviso.
Deaf, dumb, and blind.

Alabamas and Coushattas.

Tuition of Indian children in public schools.

No formal contracts.
R. S., sec. 3744, p. 738.
U. S. C., p. 1310.

Education in stock raising.

For the support of Indian schools, and other educational and industrial purposes in connection therewith, other than among the Five Civilized Tribes, there shall be expended from Indian tribal funds and from school revenues arising under the Act of May 17, 1926 (U. S. C., Supp. V, title 25, sec. 155a), not more than $700,000, including not to exceed $80,000 from trust funds of the Red Lake Indians for support of schools on the Red Lake Reservation: *Provided*, That not more than $7,500 of the above authorization of $700,000 shall be expended for new construction at any one school unless herein expressly authorized; for tuition and other educational purposes among the Five Civilized Tribes, there may be expended from tribal funds of such nations $55,000 as follows: Chickasaw Nation, $15,000; Choctaw Nation, $40,000; for payment of tuition for Chippewa Indian children enrolled in the public schools of the State of Minnesota, $48,000, payable from the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota arising under section 7 of the Act of January 14, 1889 (25 Stat., p. 645); in all, $803,000.

Support of schools from tribal funds.

44 Stat., 560, vol. 4, 548.
U. S. C., Supp. V, p. 352.
Red Lake, Minn., school.

Proviso.
New construction limited.

Five Civilized Tribes.
From tribal funds.

25 Stat., 645, vol. 1, 305.

For subsistence of pupils retained in Government boarding schools of all classes during summer months, $98,000.

Summer schools.
Subsistence, etc.

For collection and transportation of pupils to and from Indian and public schools, and for placing school pupils, with the consent of their parents, under the care and control of white families qualified to give them moral, industrial, and educational training, $100,000.

School transportation, etc.

For lease, purchase, repair, and improvement of buildings at Indian schools not otherwise provided for, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $275,000, for construction of physical improvements, $167,000; in all, $442,000: *Provided*, That not more than $7,500 out of this appropriation shall be expended for new construction at any one school or institution except for new construction authorized as follows: Cheyenne and Arapahoe, Oklahoma, repairs and extension of heating

School buildings.
Lease, repair, construction, etc.

Proviso.
New construction limited.
Exceptions.

system, $20,000; Hopi, Arizona, employee's cottage, $3,000; improvement of water system, $10,000; new day school plant, $7,500; in all, $20,500; Northern Navajo, New Mexico, water development, $35,000; Santa Fe, New Mexico, Nambe day school plant, $10,000; Shoshone, Wyoming, employee's cottage, $4,500; dining room, kitchen, and bakery, including equipment, $22,000; in all, $26,500; Tongue River, Montana, for remodeling and repairing school building, $10,000; Western Navajo, Arizona, improvements at Moencopi day school plant, $10,000: *Provided further*, That the unexpended balance of the appropriation for employees' building, San Carlos, Arizona, fiscal year 1932, is hereby continued available until June 30, 1933.

Balance available.
46 Stat., 1131; ante, 216.

For flood protection and drainage, Leupp Indian School and Agency, Arizona, $10,000, to be immediately available: *Provided*, That in the discretion of the Secretary so much of this amount as may be necessary may be used for preliminary investigations of sites for relocation or replacement of present facilities, including tests for the purpose of determining adequacy of water supplies.

Leupp School and Agency, Ariz.
Flood protection.
Proviso.
Investigations.

The unexpended balance of the appropriation for school building, auditorium, gymnasium, heating plant, and conversion of present school building into dormitory, Pawnee School, Oklahoma, contained in the Interior Department Appropriation Act, fiscal year 1932, is hereby continued available for the same purposes until June 30, 1933.

Pawnee School, Okla.
Balance available.
46 Stat., 1131; ante, 216.

For support and education of Indian pupils at the following nonreservation boarding schools in not to exceed the following amounts, respectively:

Support, etc., of designated boarding schools.

Phoenix, Arizona: For eight hundred and fifty pupils, including not to exceed $1,500 for printing and issuing school paper, $276,500; for pay of superintendent, drayage, and general repairs and improvements, $28,000; for repairs to streets and sidewalks, $12,000; in all, $316,500;

Phoenix, Ariz.

Truxton Canyon, Arizona: For two hundred and fifteen pupils, $66,575; for pay of superintendent, drayage, and general repairs and improvements, $12,500; in all, $79,075;

Truxton Canyon, Ariz.

Theodore Roosevelt Indian School, Fort Apache, Arizona: Four hundred and twenty-five pupils, $132,125; for pay of superintendent, drayage, and general repairs and improvements, $23,000; for employee's cottage, $4,000; in all, $159,125: *Provided*, That the unexpended balance of the appropriation contained in the Interior Department Appropriation Act, fiscal year 1932, for the construction of a boys' dormitory, including equipment, is hereby continued available until June 30, 1933;

Theodore Roosevelt, Fort Apache, Ariz.

Proviso.
Balance for dormitory continued available.
46 Stat., 1131; ante, 216.

Sherman Institute, Riverside, California: For nine hundred pupils, including not to exceed $1,000 for printing and issuing school paper, $302,250; for pay of superintendent, drayage, and general repairs and improvements, $20,000; in all, $322,250;

Sherman Institute, Riverside, Calif.

Haskell Institute, Lawrence, Kansas: For nine hundred pupils, including not to exceed $2,500 for printing and issuing school paper, $306,000; for pay of superintendent, drayage, and general repairs and improvements, including necessary drainage work, $40,000; for shop building, including equipment, $50,000; in all, $396,000: *Provided*, That the unexpended balance of the appropriation for auditorium, including equipment, contained in the Interior Department Appropriation Act, fiscal year 1932, is hereby continued available until June 30, 1933: *Provided further*, That the unexpended balance of the appropriation for employees' building, including equipment, fiscal year 1932, is hereby made available until June 30, 1933, for the construction of cottages for employees;

Haskell Institute, Lawrence, Kans.

Proviso.
Balance for auditorium continued available.
46 Stat., 1131; ante, 216.

Balance for employees' building.
46 Stat., 1131; ante, 216.

Mount Pleasant, Michigan: For three hundred and seventy-five pupils, $123,125; for pay of superintendent, drayage, and general repairs and improvements, $14,000; in all, $137,125: *Provided*, That the unexpended balances of the appropriations for auditorium, including equipment, and for remodeling school building, contained in the Interior Department Appropriation Act, fiscal year 1932, are hereby continued available for the same purposes until June 30, 1933;

Mount Pleasant, Mich.

Balance for auditorium, etc.
46 Stat., 1131; ante, 216.

Pipestone, Minnesota: For three hundred and fifteen pupils, $101,825; for pay of superintendent, drayage, and general repairs and improvements, $18,000; in all, $119,825;

Pipestone, Minn.

Genoa, Nebraska: For five hundred pupils, including not more than $400 for printing and issuing school paper, $166,250; for pay of superintendent, drayage, and general repairs and improvements, $18,000; in all, $184,250;

Genoa, Nebr.

Carson City, Nevada: For five hundred pupils, $162,500; for pay of superintendent, drayage, and general repairs and improvements, $15,000; in all, $177,500;

Carson City, Nev.

Albuquerque, New Mexico: For eight hundred and fifty pupils, $286,500; for pay of superintendent, drayage, and general repairs and improvements, $25,000; for repairs to heating system, replacement of boilers, rehabilitation and extension of steam mains, $12,000; for deep well and equipment, $5,000; for hog and poultry houses, $3,000; in all, $331,500;

Albuquerque, N. Mex.

Santa Fe, New Mexico: For five hundred and twenty-five pupils, $167,250; for pay of superintendent, drayage, and general repairs and improvements, $15,000; for remodeling laundry building, $10,000; in all, $192,250;

Santa Fe, N. Mex.

Charles H. Burke School, Fort Wingate, New Mexico: For six hundred and twenty-five pupils, $198,750; for pay of superintendent, drayage, and general repairs and improvements, $20,000; for employees' quarters, $8,000; for horse barns, sheep sheds, and hog house, $7,500; in all, $234,250;

Charles H. Burke, Fort Wingate, N. Mex.

Cherokee, North Carolina: For three hundred and seventy-five pupils, $119,375; for pay of superintendent, drayage, and general repairs and improvements, $19,000; in all, $138,375;

Cherokee, N. C.

Bismarck, North Dakota: For one hundred and twenty-five pupils, $45,125; for pay of superintendent, drayage, and general repairs and improvements, $7,000; in all, $52,125;

Bismarck, N. Dak.

Fort Totten, North Dakota: For two hundred and sixty-five pupils, $83,825; for pay of superintendent, drayage, and general repairs and improvements, $20,000; for employee's cottage, $4,500; in all, $108,325;

Fort Totten, N. Dak.

Wahpeton, North Dakota: For three hundred and twenty-five pupils, $104,125; for pay of superintendent, drayage, and general repairs and improvements, $12,000; for central heating plant, $30,000; in all, $146,125;

Wahpeton, N. Dak.

Chilocco, Oklahoma: For nine hundred pupils, including not to exceed $2,000 for printing and issuing school paper, $301,000; for pay of superintendent, drayage, and general repairs and improvements, $30,000; for shop building and equipment, $35,000; for bakery and meat room, including equipment, $16,000; in all, $382,000: *Provided*, That the unexpended balance of the appropriation of $90,000 for boys' dormitory, including equipment, fiscal year 1932, is hereby continued available until June 30, 1933;

Chilocco, Okla.

Proviso.
Balance available.
46 Stat., 1132; ante, 217.

Sequoyah Orphan Training School, near Tahlequah, Oklahoma: For three hundred and twenty-five orphan Indian children of the State of Oklahoma belonging to the restricted class, to be conducted as an industrial school under the direction of the Secretary of the Interior, $106,625; for pay of superintendent, drayage, and general repairs and

Sequoyah Orphan Training School, Okla.

improvements; $12,000; for water supply, including necessary rights-of-way, $40,000; boys' dormitory, including equipment, $80,000; in all, $238,625: *Provided*, That the unexpended balances of appropriations for gymnasium, including equipment, and for central heating plant, for this school for the fiscal year 1932, are continued available for the same purposes until June 30, 1933;

Proviso. Balance available. 46 Stat., 1132; ante, 217.

Carter Seminary, Okla.

Carter Seminary, Oklahoma: For one hundred and sixty pupils, $56,100; for pay of superintendent, drayage, and general repairs and improvements, $6,000; for remodeling and repairing dormitories, $6,000; in all, $68,100;

Euchee, Okla.

Euchee, Oklahoma: For one hundred and fifteen pupils, $39,775; for pay of superintendent, drayage, and general repairs and improvements, $7,000; in all, $46,775;

Eufaula, Okla.

Eufaula, Oklahoma: For one hundred and thirty-five pupils, $46,975; for pay of superintendent, drayage, and general repairs and improvements, $7,000; in all, $53,975;

Jones Academy, Okla.

Jones Academy, Oklahoma: For one hundred and seventy-five pupils, $61,125; for pay of superintendent, drayage, and general repairs and improvements, $7,000; in all, $68,125;

Wheelock Academy, Okla.

Wheelock Academy, Oklahoma: For one hundred and thirty pupils, $45,050; for pay of superintendent, drayage, and general repairs and improvements, $7,000; for central heating plant, $30,000; in all, $82,050;

Chemawa, Salem, Oreg.

Chemawa, Salem, Oregon: For seven hundred and fifty pupils, including native Indian pupils brought from Alaska, and including not to exceed $1,000 for printing and issuing school paper, $255,000; for pay of superintendent, drayage, and general repairs and improvements, $20,000; in all, $275,000;

Flandreau, S. Dak.

Flandreau, South Dakota: For four hundred and twenty-five pupils, $150,875; for pay of superintendent, drayage, and general repairs and improvements, $15,000; in all, $165,875;

Pierre, S. Dak.

Pierre, South Dakota: For three hundred and twenty-five pupils, $105,375; for pay of superintendent, drayage, and general repairs and improvements, $15,000; for bakery, including equipment, $4,000; for shop building, and equipment, $15,000; in all, $139,375;

Rapid City, S. Dak.

Rapid City, South Dakota: For three hundred pupils, $99,000; for pay of superintendent, drayage, and general repairs and improvements, $15,000; for water supply, $11,500, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1932; in all, $125,500;

Hayward, Wis.

Hayward, Wisconsin: For one hundred and seventy pupils, $58,950; for pay of superintendent, drayage, and general repairs and improvements, $12,000; in all, $70,950;

Tomah, Wis.

Tomah, Wisconsin: For three hundred and fifty pupils, $112,500; for pay of superintendent, drayage, and general repairs and improvements, $18,000; for repairs to central heating plant and extension of steam mains, $6,000; in all, $136,500;

Total.

In all, for above-named nonreservation boarding schools, not to exceed $4,825,000: *Provided*, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures for similar purposes in the various boarding schools named, but not more than 10 per centum shall be added to the amount appropriated for any one of said boarding schools or for any particular item within any boarding school. Any such interchanges shall be reported to Congress in the annual Budget.

Proviso. Sums interchangeable.

Report to Congress.

Five Civilized Tribes, Okla. Common schools.

For aid to the common schools in the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Nations and the Quapaw Agency in Oklahoma, $400,000, to be expended in the discretion of the Secretary of

the Interior and under rules and regulations to be prescribed by him: *Provided*, That this appropriation shall not be subject to the limitation in section 1 of the Act of May 25, 1918 (U. S. C., title 25, sec. 297), limiting the expenditure of money to educate children of less than one-fourth Indian blood: *Provided further*, That of this appropriation not to exceed $2,500 may be expended in the printing and issuance of a paper devoted to Indian education, which paper shall be printed at an Indian school, not to exceed $10,000 may be expended under rules and regulations of the Secretary of the Interior, in part payment of truancy officers in any county or two or more contiguous counties where there are five hundred or more Indian children eligible to attend school and not to exceed $10,000 may be expended in the discretion of the Secretary of the Interior for the payment of salaries of public-school teachers employed by the State or county in special Indian day schools in full blood Indian communities where there are not adequate white day schools available for their attendance.

Provisos.
Parentage limitation not applicable.
40 Stat., 564, vol. 4, 149.
U. S. C., p. 708.

Printing, etc., school papers.

Payment of truancy officers.

For support and maintenance of day and industrial schools among the Sioux Indians, including the erection and repairs of school buildings, in accordance with the provisions of article 5 of the agreement made and entered into September 26, 1876, and ratified February 28, 1877 (19 Stat., p. 254), $350,000.

Sioux Indians, S. Dak.
Day and industrial schools.
19 Stat., 256, vol. 1, 170.

Not to exceed $500,000 of the appropriations herein specified for Indian educational purposes shall be expended, in the discretion of the Secretary of the Interior, for the construction of new day schools, the enlargement of existing day schools, the provision of transportation facilities between Indian homes and day schools, and for other purposes necessary to a substitution of day school for boarding school facilities, wherever in the discretion of the Secretary of the Interior it is practicable.

Sum for day schools.

Transportation facilities.

Natives in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for support and education of the Eskimos, Aleuts, Indians, and other natives of Alaska, including necessary traveling expenses of pupils to and from industrial boarding schools in Alaska; erection, purchase, repair, and rental of school buildings, including purchase of necessary lands; textbooks and industrial apparatus; pay and necessary traveling expenses of superintendents, teachers, physicians, and other employees; repair, equipment, maintenance, and operation of vessels; and all other necessary miscellaneous expenses which are not included under the above special heads, including $341,900 for salaries in the District of Columbia and elsewhere, $22,000 for traveling expenses, $182,600 for equipment, supplies, fuel, and light, $22,000 for repairs of buildings, $13,000 for purchase or erection of buildings, $30,000 for freight, $35,000 for operation of vessels, $1,500 for rentals, and $2,000 for telephone and telegraph; total, $650,000, to be immediately available: *Provided*, That not to exceed 10 per centum of the amounts appropriated for the various items in this paragraph shall be available interchangeably for expenditures on the objects included, in this paragraph, but not more than 10 per centum shall be added to any one item of appropriation except in cases of extraordinary emergency and then only upon the written order of the Secretary of the Interior: *Provided further*, That of said sum not exceeding $10,000 may be expended for personal services in the District of Columbia.

Alaska natives.

Services in the District.
Specific allotments.

Provisos.
Interchangeable sums.

Services in the District.

CONSERVATION OF HEALTH

Conservation of Health.

For conservation of health among Indians including equipment, materials, and supplies; repairs and improvements to buildings and plants; compensation and traveling expenses of officers and employees

Expenses designated.

and renting of quarters for them when necessary; transportation of patients and attendants to and from hospitals and sanatoria; returning to their former homes and interring the remains of deceased patients; and not exceeding $1,000 for printing and binding circulars and pamphlets for use in preventing and suppressing trachoma and other contagious and infectious diseases, $3,213,000, including not to exceed the sum of $2,396,000 for the following-named hospitals and sanatoria:

Suppressing trachoma.

Allotments for specified hospitals and sanatoria.

Arizona.

Arizona: Indian Oasis Hospital, $23,000; Kayenta Sanatorium, $45,000; for employee's cottage, $5,000; in all, $50,000; Fort Defiance Sanatorium and Southern Navajo General Hospital, $105,000; Phoenix Sanatorium, $75,000; Pima Hospital, $23,000; for heating plant, $3,000; in all, $26,000; Truxton Canyon Hospital, $12,000; for addition for quarters, $3,000; in all, $15,000; Western Navajo Hospital, $35,000; Chin Lee Hospital, $11,000; Fort Apache Hospital, $27,000; Havasupai Hospital, $5,000; Hopi Hospital, $40,000; Leupp Hospital, $26,000; San Carlos Hospital, $19,000; Tohatchi Hospital, $11,000; Colorado River Hospital, $23,000; San Xavier Sanatorium, $37,500; Phoenix Hospital, $30,000; Hopi-Navajo Sanatorium, $20,000;

California.

California: Hoopa Valley Hospital, $22,000; Soboba Hospital, $20,000; Fort Bidwell Hospital, $15,000; Fort Yuma Hospital, $14,000;

Colorado.

Colorado: Ute Mountain Hospital, $12,000; Ignacio Hospital, $18,000; for physician's quarters, $7,000; in all, $25,000;

Idaho.

Idaho: Fort Lapwai Sanatorium, $85,000; for employees' quarters, including equipment, $18,000; in all, $103,000; Fort Hall Hospitals, $15,000;

Iowa.

Iowa: Sac and Fox Sanatorium, $70,000;

Minnesota.

Minnesota: Pipestone Hospital, $22,000;

Mississippi.

Mississippi: Choctaw Hospital, $27,000;

Montana.

Montana: Blackfeet Hospital, $25,000; Fort Peck Hospital, $22,000; Crow Agency Hospital, $24,000; Fort Belknap Hospital, $30,000; Tongue River Hospital, $30,000;

Nebraska.

Nebraska: Winnebago Hospital, $32,000;

Nevada.

Nevada: Carson Hospital, $20,000; Pyramid Lake Sanatorium, $35,000; for power lines and equipment, including payment for necessary rights of way, $10,000, to be immediately available; in all, $45,000; Walker River Hospital, $21,000;

New Mexico.

New Mexico: Jicarilla Hospital, and Sanatorium, $60,000; Laguna Sanatorium, $30,000; Mescalero Hospital, $20,000; Eastern Navajo Hospital, $15,000; Northern Navajo Hospital, $28,000; Taos Hospital, $9,000; Zuni Sanatorium, $55,000; Albuquerque Hospital, $50,000; Charles H. Burke Hospital, $8,000; Santa Fe Hospital, $40,000; Toadlena Hospital, $10,000;

North Carolina

North Carolina: Cherokee Hospital, $8,000;

North Dakota.

North Dakota: Turtle Mountain Hospital, $35,000; Fort Berthold Hospital, $21,500; Fort Totten Hospital, $26,000; Standing Rock Hospital, $25,000;

Oklahoma.

Oklahoma: Cheyenne and Arapahoe Hospital, $36,000; Choctaw and Chickasaw Sanatorium, $55,000; for water supply, including payment for necessary rights of way, $30,000, to be immediately available; in all, $85,000; Shawnee Sanatorium, $80,000; Claremore Hospital, $32,000; Clinton Hospital, $20,000; Pawnee and Ponca Hospital, $30,000; Kiowa Hospital, $70,000;

South Dakota.

South Dakota: Crow Creek Hospital, $22,000; Pine Ridge Hospitals, $43,000; Rosebud Hospital, $28,000;

Utah.

Utah: Uintah Hospital, $11,000;

Washington: Yakima Sanatorium, $43,000; Tacoma Sanatorium $200,000; Tulalip Hospital, $8,000; Washington.

Wisconsin: Hayward Hospital, $30,000; Tomah Hospital, $27,000; Wisconsin.

Wyoming: Shoshone, $18,000; Wyoming.

Provided, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures in the various hospitals named, but not more than 10 per centum shall be added to the amount appropriated for any one of said hospitals or for any particular item within any hospital, and any interchange of appropriations hereunder shall be reported to Congress in the Annual Budget; *Provisos.* Interchangeable expenditures. Report to Congress.

Provided further, That nonreservation boarding schools receiving specific appropriations shall contribute on a per diem basis for the hospitalization of pupils in hospitals located at such schools and supported from this appropriation; Hospitalization of pupils.

Provided further, That appropriations contained in or continued available by the Interior Department Appropriation Act, fiscal year 1932, and the Second Deficiency Act, fiscal year 1931, for construction and equipment of hospitals, sanatoria, and other physical improvements under this heading are continued available until June 30, 1933. Balances for hospital construction. 46 Stat., 1136, 1568; ante, 220, 243.

For a clinical survey of tuberculosis, trachoma, and venereal and other disease conditions among Indians, $50,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1932: *Provided*, That in conducting such survey the cooperation of such State and other organizations engaged in similar work shall be enlisted wherever practicable and where services of physicians, nurses, or other persons are donated their travel and other expenses may be paid from this appropriation. Clinical survey of disease conditions. *Proviso.* Local cooperation.

For support of hospitals maintained for the benefit of the Chippewa Indians in the State of Minnesota, $125,000, payable from the principal sum on deposit to the credit of said Indians arising under section 7 of the Act of January 14, 1889 (25 Stat., p. 645). Chippewas in Minnesota. Hospitals for, from private funds. 25 Stat., 645, vol. 1, 305.

There shall be available for health work among the several tribes of Indians not exceeding $200,000 of the tribal trust funds authorized elsewhere in this Act for support of Indians and administration of Indian property: *Provided*, That not more than $7,500 of such amount may be expended for new construction in connection with health activities at any one place. Health work. From trust funds. *Proviso.* New construction.

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, repairs, improvements, and for necessary expense of transporting insane Indians to and from said asylum, $40,000. Canton, S. Dak. Asylum expenses.

Medical relief in Alaska: To enable the Secretary of the Interior, in his discretion, and under his direction through the Bureau of Indian Affairs, with the advice and cooperation of the Public Health Service, to provide for the medical and sanitary relief of the Eskimos, Aleuts, Indians, and other natives of Alaska; erection, purchase, repair, rental, and equipment of hospital buildings; books and surgical apparatus; pay and necessary traveling expenses of physicians, nurses, and other employees, and all other necessary miscellaneous expenses which are not included under the above special heads, $281,800, to be available immediately. Medical relief in Alaska.

GENERAL SUPPORT AND ADMINISTRATION

Support and administration.

For general support of Indians and administration of Indian property, including pay of employees, $1,400,000: *Provided*, That no part of the money appropriated in this Act shall be used for the payment of the salary or expenses of a special commissioner to negotiate with Indians. Expenses for sundry agencies and reservations. *Proviso.* Salary, etc., of special commissioner.

Additional amount.

For an additional amount for support of Indians and administration of Indian property, including pay of employees, $135,000, to be immediately available and to remain available until June 30, 1932: *Provided*, That the limitation of $160,000 for relief, contained in the Interior Department Appropriation Act for the fiscal year 1932, is hereby increased to $570,000: *Provided further*, That this appropriation shall be available for the employment of Indian labor on any necessary project or activity.

Provisos.
Limitation for relief increased.
46 Stat., 1137; ante, 221.
Employment of Indian labor.

Fulfilling treaties, etc.

Fulfilling treaties with Indians: For the purpose of discharging obligations of the United States under treaties and agreements with various tribes and bands of Indians as follows:

Northern Cheyennes and Arapahoes, Mont.
19 Stat., 256, vol. 1, 170.

Northern Cheyenne and Arapahoes, Montana (article 7, treaty of May 10, 1868, and agreement of February 28, 1877), $75,000;

Pawnees, Okla.
11 Stat., 731, vol. 2, 764, 765.
27 Stat., 644, vol. 1, 496.

Pawnees, Oklahoma (articles 3 and 4, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), $51,300;

Sioux.
15 Stat., 635, vol. 2, 1000, 1002.
19 Stat., 254, vol. 1, 168.

Sioux of different tribes, including Santee Sioux of Nebraska, North Dakota, and South Dakota (articles 8 and 13, treaty of April 29, 1868, 15 Stat., p. 635, and Act of February 28, 1877, 19 Stat., p. 254), $445,000;

Total.

In all, for said treaty stipulations, not to exceed $571,300.

General support, etc., at specified agencies, from tribal funds.

For general support of Indians and administration of Indian property under the jurisdiction of the following agencies, to be paid from the funds held by the United States in trust for the respective tribes, in not to exceed the following sums, respectively:

Arizona.

Arizona: Colorado River, $3,500; Fort Apache, $20,000; Leupp, $2,000; Paiute, $7,500; Pima; $1,000; San Carlos, $100,000; Truxton Canyon, $16,000; in all, $150,000.

California.

California: Fort Yuma, $4,000; Mission, $3,000; Round Valley, $3,000; Tule River, $500; in all, $10,500;

Colorado.

Colorado: Consolidated Ute (Southern Ute, $15,000; Ute Mountain, $15,000); in all, $30,000;

Idaho.
Proviso.
Balance available.
46 Stat., 1138; ante, 222.

Idaho: Fort Hall, $15,000: *Provided*, That the unexpended balance of the appropriation for eradication of noxious weeds, fiscal year 1932, is hereby continued available for the same purposes until June 30, 1933; Fort Lapwai, $7,500; Coeur d'Alene (Kalispel), $1,980; in all, $24,480;

Iowa.

Iowa: Sac and Fox, $1,000;

Kansas.

Kansas: Pottawatomie, $1,000;

Michigan.

Michigan: Ontonagon, $1,000;

Minnesota.

Minnesota: Red Lawe, $45,000;

Montana.

Montana: Blackfeet, $5,000; Flathead, $30,000; Fort Peck, $5,000; Tongue River, $10,000; Rocky Boy, $1,000; in all, $51,000;

Nebraska.

Nebraska: Omaha, $1,000;

Nevada.

Nevada: Carson (Summit Lake), $1,000; Pyramid Lake, $2,500; Walker River, $400; Western Shoshone, $5,000; in all, $8,900;

New Mexico.

New Mexico: Jicarilla, $25,000; Mescalero, $25,000; in all, $50,000;

North Dakota.

North Dakota: Fort Totten, $1,000;

Oklahoma.

Oklahoma: Pawnee (Otoe, $1,000; Ponca, $2,000), $3,000; Sac and Fox, $2,000; Cheyennes and Arapahoes, $2,000, which shall be available for expenses of the tribal business committee; in all, $7,000.

Oregon.

Oregon: Klamath, $50,000; Umatilla, $5,000; in all, $55,000;

South Dakota.

South Dakota: Cheyenne River, $75,000; Pine Ridge, $4,000; in all, $79,000;

Utah.
Proviso.
Expenses of State Experimental Farm.

Utah: Uintah and Ouray, $10,000: *Provided*, That not to exceed $500 of this amount may be used to pay part of the expenses of the State Experimental Farm, located near Fort Duchesne, Utah, within the Uintah and Ouray Indian Reservation;

Washington.

Washington: Colville, $30,000; Neah Bay, $5,000; Puyallup, $2,000, of which $1,000 shall be available for the upkeep of the Puyallup

Indian cemetery; Spokane, $7,500; Taholah (Quinaielt), $30,000, of which not to exceed $25,000 shall be available only for a sewer and water system for the Indian village; Yakima, $20,000; in all, $94,500.

Wisconsin: Lac du Flambeau, $2,000; Keshena, $50,000, including $5,000 for monthly allowances, under such rules and regulations as the Secretary of the Interior may prescribe, to such old and indigent members of the Menominee Tribe as it is impracticable to place in the home for old and indigent Menominee Indians, and who reside with relatives or friends; in all, $52,000; Wisconsin.

Wyoming: Shoshone, $40,000; Wyoming.

In all, not to exceed $712,380.

For general support, administration of property and promotion of self-support among the Chippewa Indians in the State of Minnesota, $75,000, to be paid from the principal sum on deposit to the credit of said Indians, arising under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota," approved January 14, 1889 (25 Stat., p. 645), to be used exclusively for the purposes following: Not exceeding $45,000 of this amount may be expended for general agency purposes; not exceeding $30,000 may be expended in the discretion of the Secretary of the Interior in aiding indigent Chippewa Indians upon the condition that any funds used in support of a member of the tribe shall be reimbursed out of and become a lien against any individual property of which such member may now or hereafter become seized or possessed, the two preceding requirements not to apply to any old, infirm, or indigent Indian, in the discretion of the Secretary of the Interior.

Chippewa Indians, Minn.
General support, etc.

25 Stat., 645, vol. 1, 305.

Sum for agency purposes

Aiding indigent.

For the current fiscal year money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, salaries and contingent expenses of the governor of the Chickasaw Nation and chief of the Choctaw Nation and one mining trustee for the Choctaw and Chickasaw Nations at salaries at the rate heretofore paid for the said governor and said chief and $4,000 for the said mining trustee, and the chief of the Creek Nation at a salary not to exceed $600 per annum, and one attorney each for the Choctaw and Chickasaw Tribes employed under contract approved by the President under existing law: *Provided*, That the expenses of the above-named officials shall be determined and limited by the Commissioner of Indian Affairs, not to exceed $2,500 each.

Five Civilized Tribes.

Apportionment of allotments.
Specified salaries.

Proviso.
Pay restriction.

For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage Reservation, Oklahoma, including pay of necessary employees, the tribal attorney and his stenographer, one special attorney in tax and other matters, and pay of tribal officers; repairs to buildings, rent of quarters for employees, traveling expenses, printing, telegraphing and telephoning, and purchase, repair, and operation of automobiles, $150,000, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma.

Osages, Okla.
Expenses from trust funds.

For expenses incurred in connection with visits to Washington, District of Columbia, by the Osage Tribal Council and other members of said tribe, when duly authorized or approved by the Secretary of the Interior, $5,000, to be paid from the funds held by the United States in trust for the Osage Tribe.

Visits of tribal Council to Washington, D. C.

The sum of $60,000 is hereby appropriated out of the principal funds to the credit of the Confederated Bands of Ute Indians, the sum of $42,500 of said amount for the benefit of the Ute Mountain (formerly Navajo Springs) Band of said Indians in Colorado, and the sum of

Confederated Bands of Utes.
Distribution to, from tribal funds.

$17,500 of said amount for the Uintah, White River, and Uncompahgre Bands of Ute Indians in Utah, which sums shall be charged to said bands, and the Secretary of the Interior is also authorized to withdraw from the Treasury the accrued interest to and including June 30, 1932, on the funds of the said Confederated Bands of Ute Indians appropriated under the Act of March 4, 1913 (37 Stat., p. 934), and to expend or distribute the same for the purpose of administering the property of and promoting self-support among the said Indians, under such regulations as the Secretary of the Interior may prescribe: *Provided*, That none of the funds in this paragraph shall be expended on road construction unless preference shall be given to Indians in the employment of labor on all roads constructed from the sums herein appropriated from the funds of the Confederated Bands of Utes.

Self-support and administering property, from accrued interest.
37 Stat., 934, vol. 3, 559.

Proviso.
Restriction on road construction.

Roads and bridges.

ROADS AND BRIDGES

Red Lake Indian Reservation, Minn.
Construction, etc., from Chippewa trust funds.

For the construction and repair of roads and bridges on the Red Lake Indian Reservation, including the purchase of material, equipment, and supplies, and the employment of labor, $25,000, to be paid from the funds held by the United States in trust for the Red Lake Band of Chippewa Indians in the State of Minnesota: *Provided*, That Indian labor shall be employed as far as practicable.

Proviso.
Indian labor.

Road construction, non-Federal aid highways.

For the construction, repair, and maintenance of roads on Indian reservations not eligible to Government aid under the Federal Highway Act, including engineering and supervision and the purchase of material, equipment, supplies, and the employment of Indian labor, $400,000: *Provided*, That where practicable the Secretary of the Interior shall arrange with the local authorities to defray the maintenance expenses of roads constructed hereunder and to cooperate in such construction.

Proviso.
Local contributions.

Gallup-Shiprock Highway, N. Mex.
Maintenance, etc.

For maintenance and repair of that portion of the Gallup-Shiprock Highway within the Navajo Reservation, New Mexico, including the purchase of machinery, $20,000, reimbursable as provided in the Act of June 7, 1924: *Provided*, That other than for supervision and engineering only Indian labor shall be employed for such maintenance and repair work.

Proviso.
Indian labor.

Wind River Reservation, Wyo.
Road construction.
46 Stat., 1070; ante, 194.

That the unexpended balance of the appropriation of $150,000 contained in the First Deficiency Act, fiscal year 1931, for one-half of the cost of reconstruction and improvement of the road running from Milford across the Wind River or Shoshone Indian Reservation through Fort Washakie to the diversion dam in Wyoming, is hereby continued available until June 30, 1933.

Annuities, etc.

ANNUITIES AND PER CAPITA PAYMENTS

Senecas, N. Y.
4 Stat., 442.

For fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831, 4 Stat., p. 442), $6,000.

Six Nations, N. Y.
7 Stat., 46, vol. 2, 36.

For fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), $4,500.

Choctaws, Okla.
7 Stat., 99, 212, 213, 236, vol. 2, 87, 88, 192, 193, 211, 706.
11 Stat., 614, vol. 2, 709.

For fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty of June 22, 1855), $3,000; for permanent annuity for support of light horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), $600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $600; for

permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $320; in all, $10,520.

Saint Croix Chippewas, Wis.
Purchase of land.
10 Stat., 1109, vol. 2, 648.

To carry out the provisions of the Chippewa treaty of September 30, 1854 (10 Stat., p. 1109), $10,000, in part settlement of the amount, $141,000, found due and heretofore approved for the Saint Croix Chippewa Indians of Wisconsin, whose names appear on the final roll prepared by the Secretary of the Interior pursuant to Act of August 1, 1914 (38 Stat., pp. 582–605), and contained in House Document Numbered 1663, said sum of $10,000 to be expended in the purchase of land or for the benefit of said Indians by the Commissioner of Indian Affairs: *Provided*, That, in the discretion of the Commissioner of Indian Affairs, the per capita share of any of said Indians under this appropriation may be paid in cash.

38 Stat., 607, vol. 4, 7.

Proviso.
Discretionary cash payments.

Appropriations herein made for road work and other physical improvements in the Indian Service shall be immediately available.

Road work appropriations immediately available.

When, in the judgment of the Secretary of the Interior, it is necessary for accomplishment of the purposes of appropriations herein made for the Indian field service, such appropriations shall be available for purchase of ice, rubber boots for use of employees, for travel expenses of employees on official business, and for the cost of packing, crating, drayage, and transportation of personal effects of employees upon permanent change of station.

Field service appropriations.

Supplies, etc.

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GEOLOGICAL SURVEY

Geological Survey.

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GENERAL EXPENSES

General expenses.

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Nonmetallic mineral mining act.
Enforcement of provisions.
38 Stat., 741; 40 Stat., 297; 41 Stat., 437, 1363.
U. S. C., pp. 963, 964, 1595, 1596.

For the enforcement of the provisions of the Acts of October 20, 1914 (U. S. C., title 48, sec. 435), October 2, 1917 (U. S. C., title 30, sec. 141), February 25, 1920 (U. S. C., title 30, sec. 181), and March 4, 1921 (U. S. C., title 48, sec. 444), and other Acts relating to the mining and recovery of minerals on Indian and public lands and naval petroleum reserves; and for every other expense incident thereto, including supplies, equipment, expenses of travel and subsistence, the construction, maintenance, and repair of necessary camp buildings and appurtenances thereto, $225,000, of which amount not to exceed $40,000 may be expended for personal services in the District of Columbia;

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NATIONAL PARK SERVICE

National Park Service.

* * * * * * *

Glacier, Mont.

Glacier National Park, Montana: For administration, protection, and maintenance, including necessary repairs to the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary, including not exceeding $750 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $210,000; for construction of physical improvements, $14,200, including not exceeding $5,400 for the construction of buildings, of which not exceeding $1,600 shall be avail-

able for a combination shower bath and laundry, $1,300 for completion of an employees' quarters, $1,500 for an equipment shed, not exceeding $1,000 for a gasoline storage tank to be located on railroad right of way outside the park boundary; in all, $224,200.

* * * * * * *

Roads and trails.
Construction, etc., of, in parks and monuments.

Special authorizations.

43 Stat., 423.

44 Stat., 616.
U. S. C., p. 1936.

Contractual authorization.

46 Stat., 1155; ante, 226.

Provisos.
Personal services in District.

Contracts for approved projects deemed Federal obligations.

46 Stat., 1053.

Sum for approach roads.

Construction, and so forth, of roads and trails: For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in national parks and monuments under the jurisdiction of the Department of the Interior, including the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary, and the Grand Canyon Highway from the National Old Trails Highway to the south boundary of the Grand Canyon National Park as authorized by the Act approved June 5, 1924 (43 Stat., p. 423), and including that part of the Wawona Road in the Sierra National Forest between the Yosemite National Park boundary two miles north of Wawona and the park boundary near the Mariposa Grove of Big Trees, and that part of the Yakima Park Highway between the Mount Rainier National Park boundary and connecting with the Cayuse Pass State Highway, areas to be established as national parks under the Act of May 22, 1926 (U. S. C., title 16, sec. 403), for the removal of the present Otter Cliffs Radio Station and its reconstruction within the Acadia National Park in connection with the Acadia Park motor road, Maine, at a cost not to exceed $250,000, and for the replacement of an officers' quarters on the Navy mine depot in connection with the Colonial National Monument parkway, Virginia, at a cost of not to exceed $12,000, to be immediately available and remain available until expended, $4,500,000, which includes $2,850,000, the amount of the contractual authorization contained in the Act making appropriations for the Department of the Interior for the fiscal year 1932, approved February 14, 1931 (46 Stat., p. 1155): *Provided*, That not to exceed $25,000 of the amount herein appropriated may be expended for personal services in the District of Columbia during the fiscal year 1933: *Provided further*, That in addition to the amount herein appropriated the Secretary of the Interior may also approve projects, incur obligations, and enter into contracts for additional work, including work on approach roads authorized by the Act of January 31, 1931, not exceeding a total of $2,500,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof and appropriations hereafter made for the construction of roads in national parks and monuments shall be considered available for the purpose of discharging the obligation so created: *Provided further*, That not to exceed $1,200,000 shall be available for national-park and national-monument approach roads, inclusive of necessary bridges.

* * * * * * *

Field work appropriations available for work animals, etc.

Proviso.
Limit on amount for motor vehicles.

Exception.

SEC. 2. Appropriations herein made for field work under the General Land Office, the Bureau of Indian Affairs, the Bureau of Reclamation, the Geological Survey, and the National Park Service shall be available for the hire, with or without personal services, of work animals and animal-drawn and motor-propelled vehicles and equipment: *Provided*, That no part of any money appropriated by this Act shall be used for purchasing any motor-propelled passenger-carrying vehicle (except busses, ambulances, and station wagons) at a cost, completely equipped for operation, in excess of $750, except where, in the judgment of the department, special requirements can not thus be efficiently met, such exceptions, however, to be limited to not to exceed 10 per

centum of the total expenditures for such motor vehicles purchased during the fiscal year, including the value of a vehicle exchanged where exchange is involved; nor shall any money appropriated herein be used for maintaining, driving, or operating any Government-owned motor-propelled passenger-carrying vehicle not used exclusively for official purposes; and "official purposes" shall not include the transportation of officers and employees between their domiciles and places of employment, except in cases of officers and employees engaged in field work the character of whose duties make such transportation necessary and then only when the same is approved by the head of the department. The limitations of this proviso shall not apply to any motor vehicle for official use of the Secretary of the Interior.

Restriction on operation.

Limitations not applicable to Secretary.

* * * * * * *

Approved, April 22, 1932.

CHAP. 136.—An Act To confer jurisdiction on the Court of Claims to hear and determine certain claims of the Eastern or Emigrant and the Western or Old Settler Cherokee Indians against the United States, and for other purposes[1]

April 25, 1932.
[S. 2405.]
47 Stat., 137.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all claims against the United States of the Eastern or Emigrant Cherokees, and the Western Cherokee or Old Settler Indians, so called, who are duly enrolled members of the Cherokee Tribe of Indians in Oklahoma, as classes, respectively, may be submitted to the Court of Claims, and jurisdiction is hereby conferred upon the Court of Claims, notwithstanding the lapse of time or statutes of limitation, to hear, examine, adjudicate, and render judgment in any and all legal and equitable claims arising or growing out of any treaty or agreement between the United States and the Cherokee Indians, or arising or growing out of any Act of Congress in relation to Indian affairs, which the said Eastern or Emigrant and Western or Old Settler Cherokees may have against the United States, which claims have not heretofore been determined and adjudicated on their merits by the Court of Claims or the Supreme Court of the United States and paid in full: *Provided*, That said Eastern or Emigrant and Western or Old Settler Cherokee Indians may act together or as two bodies hereunder as they may be advised: *Provided further*, That the said Eastern or Emigrant and Western or Old Settler Cherokees may intervene in any suit or suits now pending in the Court of Claims under authority of the Act of Congress approved March 19, 1924 (43 Stat. L. 27, 28), in which the Cherokee Nation is party plaintiff and the United States party defendant.

Cherokee Indians in Oklahoma.
Claims of Eastern or Emigrant, and Western or Old Settler Indians submitted to Court of Claims.

Jurisdiction conferred.
Statutes of limitation waived.

Provisos.
Joint or separate suits.
Intervention in pending suits.

43 Stat., 28, vol. 4, 403.

SEC. 2. Any and all claims against the United States within the purview of this Act shall be forever barred unless suit or suits or intervening petition shall be filed, subject to amendment, however, as herein provided in the Court of Claims within six months from the date of approval of this Act, and such suit or suits shall make the Eastern or Emigrant and/or Western or Old Settler Cherokees party or parties plaintiff and the United States party defendant. The petition or petitions shall be verified by the attorney or attorneys employed to prosecute such claim or claims under contract or contracts with the said Indians approved in accordance with existing laws, and said contract or contracts shall be executed in their behalf by a committee or committees selected by said Indians or provided by existing law. Official letters, papers, documents, and records, maps, or certified copies thereof, may be used in evidence; and the departments of the Government shall

Petitions to be filed within six months.

Verification.

Evidence admitted.

[1] 82 Ct. Cls., 456; 566; 88 Ct. Cls., 452.

give access to the attorney or attorneys of said Indians to such treaties, papers, maps, correspondence, or reports as they may require in the preparation and prosecution of any suit or suits instituted under this Act.

Counter claims.

SEC. 3. In said suit or suits the court shall also hear, examine, consider, and adjudicate any claims which the United States may have against the said Indians or any of them, but any payment or payments which have been made by the United States upon any such claim or claims shall not operate as an estoppel but may be placed as an off-set in such suit or suits, and the United States shall be allowed to plead and shall be given credit for all sums, including gratuities, paid to or expended for any of said classes of Indians: *Provided, however*, That in any claim sued on by said Cherokees for any part of an interest-bearing fund upon which account any payment or payments shall have been made, such payment or payments shall first be applied to reduction or payment of interest earned to the date of such respective payments, and the balance, if any, shall then be applied to reduce the interest-bearing principal, and not otherwise.

Set-offs.

Proviso.
Priority of payments.

Joinder of other tribes.

SEC. 4. Any other tribes or bands of Indians the court may deem necessary to a final determination [1] of any suit or suits brought hereunder may be joined therein as the court may order: *Provided*, That upon final determination of such suit or suits the Court of Claims shall have jurisdiction to fix and determine a reasonable fee, not to exceed 10 per centum of recovery or recoveries, together with all necessary and proper expenses incurred in the preparation and prosecution of such suit or suits, to be paid to the attorney or attorneys employed as herein provided by the said Indians, and the same shall be included in the decree and shall be paid out of any sum or sums adjudged to be due said Indians, or any of them, and the balance of such sum or sums shall be placed in the Treasury of the United States, where it shall draw interest at the rate of 4 per centum per annum, and be disposed of as provided by existing law.

Proviso.
Fees, etc., to be included in Court decree.

Disposition of balance.

Approved, April 25, 1932.

April 27, 1932.
[H. R. 10362.]
47 Stat., 140.

CHAP. 149.—An Act To require the approval of the General Council of the Seminole Tribe or Nation in case of the disposal of any tribal land

Seminole Indians, Okla.
Disposal of tribal land subject to approval of its general council.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the Secretary of the Interior shall not sell, lease, encumber, or in any manner dispose of, any land or any interest in land belonging to the Seminole Tribe or Nation in Oklahoma or reserved for the benefit of such tribe, except with the approval of the Seminole Tribe or Nation acting through its general council selected in pursuance of Seminole customs.

Approved, April 27, 1932.

May 2, 1932.
[H. R. 8914.]
47 Stat., 144.

CHAP. 155.—An Act To accept the grant by the State of Montana of concurrent police jurisdiction over the rights of way of the Blackfeet Highway, and over the rights of way of its connections with the Glacier National Park road system on the Blackfeet Indian Reservation in the State of Montana

Rights of way, Blackfeet Highway, Mont.
Acceptance of grant by Montana of concurrent jurisdiction over and connections with Glacier National Park.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the act of the Legislature of the State of Montana, approved February 27, 1929, granting to the United States concurrent police jurisdiction over and within all the territory which is now or may

[1] So in original.

hereafter be included in the rights of way of the Blackfeet Highway, including the highway itself throughout its length between Glacier Park Station and the Canadian boundary line, and including also the rights of way of the highways on the Blackfeet Indian Reservation connecting the Blackfeet Highway with the Glacier National Park road system, including the highways themselves, are hereby accepted, and the laws and regulations of the United States relating to, and while in force within the Glacier National Park, so far as applicable, are hereby extended over and within the territory of said rights of way and highways.

Applicability of Federal laws, etc.

Notice to Governor.

SEC. 2. The Secretary of the Interior shall notify, in writing, the Governor of the State of Montana of the passage and approval of this Act, and so far as the interests of the United States shall require, the said Secretary shall exercise administrative control and jurisdiction over said rights of way and highways through the National Park Service.

Administrative control.

SEC. 3. The United States commissioner for the Glacier National Park shall have jurisdiction under the provisions of the Act of August 22, 1914 (38 Stat. 699), of violations of law or the rules and regulations of the Secretary of the Interior in force within said rights of way and highways.

Commissioner for Glacier National Park.
Jurisdiction extended.
38 Stat., 699, amended.

Approved, May 2, 1932.

CHAP. 164.—An Act Extending the provisions of the Act entitled "An Act to provide for the sale of desert lands in certain States and Territories," approved March 3, 1877 (19 Stat. 377), and Acts amendatory thereof, to ceded lands of the Fort Hall Indian Reservation

May 4, 1932.
[H. R. 5484.]
47 Stat., 146.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the Act entitled "An Act to provide for the sale of desert lands in certain States and Territories," approved March 3, 1877 (19 Stat. 377), and Acts amendatory thereof, are made applicable to the ceded lands on the former Fort Hall Indian Reservation opened to entry by the Act of June 6, 1900 (31 Stat. 672): *Provided*, That no land shall be disposed of at less than the price fixed by that Act.

Fort Hall Indian Reservation, Idaho.
Desert land law made applicable to ceded lands of.
19 Stat., 377, vol. 1, 27; 25 Stat., 687, vol. 1, 314; 31 Stat., 672, vol. 1, 704
Proviso.
Price restriction.

Approved, May 4, 1932.

CHAP. 165.—An Act Amending an Act of Congress approved February 28, 1919 (40 Stat. L. 1206), granting the city of San Diego certain lands in the Cleveland National Forest and the Capitan Grande Indian Reservation for dam and reservoir purposes for the conservation of water, and for other purposes, so as to include additional lands

May 4, 1932.
[H. R. 10495.]
47 Stat., 146.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of an Act of Congress approved February 28, 1919, granting the city of San Diego certain lands in the Cleveland National Forest and the Capitan Grande Indian Reservation for dam and reservoir purposes for the conservation of water and other purposes, be amended to read as follows:

San Diego, Calif.
Additional lands granted to, for water supply.
40 Stat., 1206, amended, vol. 4, 187.

"That the south half northeast quarter northwest quarter and the north half southwest quarter section 8; the west half southwest quarter southwest quarter and the west half northeast quarter northwest quarter section 9, all in township 15 south, range 2 east, San Bernardino base and meridian, within the Cleveland National Forest; and the southwest quarter southwest quarter, the east half southwest quarter, the northwest quarter southeast quarter and the west half northeast quarter southeast quarter section 11; the north half north-

Within Cleveland National Forest.

Within Capitan Grande Indian Reservation.

west quarter and the southwest quarter northwest quarter section 14; the southeast quarter southwest quarter, the southwest quarter southeast quarter, the east half southwest quarter southwest quarter, the northeast quarter southwest quarter, the east half northeast quarter northwest quarter, the east half southeast quarter northwest quarter, the northeast quarter, the north half southeast quarter and the southeast quarter southeast quarter section 15; the northeast quarter southeast quarter section 21; the northwest quarter northeast quarter, the northwest quarter, the north half southwest quarter, the southwest quarter southwest quarter, the west half northeast quarter northeast quarter, and the south half northeast quarter section 22; the west half northwest quarter section 27; the east half northeast quarter, the southwest quarter northeast quarter, the southeast quarter, the east half northeast quarter southwest quarter, the east half southeast quarter southwest quarter, and the east half northwest quarter northeast quarter section 28; and the northeast quarter, the west half southeast quarter, the east half southwest quarter, the southeast quarter northwest quarter, and the east half northeast quarter northwest quarter section 33, all in township 14 south, range 2 east, San Bernardino base and meridian; also the north half southwest quarter, the southwest quarter southwest quarter, the west half northwest quarter southeast quarter, the west half southwest quarter southeast quarter, and the north half southeast quarter southwest quarter section 3; and lots 2, 3, 6, 7, 8, 9, 10, 11, and the south half section 4, all in township 15 south, range 2 east, San Bernardino base and meridian, within the Capitan Grande Indian Reservation, all within the county of San Diego and State of California, are hereby granted to the city of San Diego, a municipal corporation in said county and State, for dam and reservoir purposes for the conservation and storage of water, whenever said city shall have provided compensation as hereinafter specified for all property rights and interests and damages done to Mission Indians located upon the Capitan Grande Indian Reservation: *Provided*, That the lands herein granted shall not be sold, assigned, transferred, or conveyed to any private person, corporation, or association; and in case of any attempt to sell, assign, transfer, or convey, or upon a failure to use and apply said lands exclusively to the purposes herein specified, this grant shall revert to the United States: *Provided, however*, That proceedings to acquire the nine hundred and twenty acres of additional land granted by this Act, as herein amended, by eminent domain of the State of California as authorized by the provisions of this Act herein contained, may at the option of the city of San Diego be dispensed with, and if the said city so elects and upon payment by said city as compensation for such lands, rights, interests, and damages of the additional sum of $35,567.20, the Secretary of the Interior of the United States is hereby authorized and directed to issue to said city a patent in fee simple conveying all the rights, titles, and interests of the said Indians and of the United States in and to all of the lands herein above described: *Provided further*, That no provisions of this Act and nothing done in carrying out its provisions, as between the United States, said Mission Indians and their grantees, shall in any wise limit or terminate any rights within the Capitan Grande Indian Reservation of any person, persons, or corporations heretofore granted or conveyed under or by authority of the laws of the United States.

Compensation to Mission Indians.

Provisos.
Conveyance to private person or unauthorized use, etc.

Condemnation proceedings may be dispensed with.

Grant upon payment.

Rights of Indians, etc., not impaired.

"No provisions of this Act and nothing done in carrying out its provisions shall have the effect of terminating or limiting the rights of said Capitan Grande Indians or of the United States in or to the

Transfer of water rights to remaining lands within Capitan Grande Reservation.

lands or in the waters flowing in or along the lands remaining in and forming a part of the Capitan Grande Reservation after the city of San Diego has acquired title to the lands herein granted: *Provided*, That in the event the Indians of the Capitan Grande Reservation, or any of them, are located on additional land or lands purchased by the United States for them and situate within the watershed of the San Diego River, the said Indians or any of them or the United States in their behalf shall have the right to transfer to such additional land or lands, in whole or in part, such water rights as they or the United States possess on the Capitan Grande Indian Reservation, and subject to the conditions hereinafter provided shall have the same right to develop and use a like quantity of water on such additional land or lands as they have heretofore had the right to develop and use within said reservation: *Provided further*, That the total quantity of water developed and used by the said Indians or by the United States in their behalf, including the use continued on the diminished reservation, shall not exceed in the aggregate the total quantity of water which said Indians or the United States in their behalf have heretofore had the right to develop and use within the Capitan Grande Indian Reservation.

Provisos.
Benefits extended to Indians relocating within San Diego watershed.

Use, etc., of water restricted.

"The grant herein to the said city of San Diego is hereby expressly made subject to such rights, which rights shall not be subject to loss by nonuse or abandonment thereof so long as the title to said lands remains in the Indians or in the United States.

Inviolable rights declared.

"The funds paid and those to be paid by the said city of San Diego as compensation to the Capitan Grande Indians for their lands shall, in addition to the uses in the Act of February 28, 1919 (40 Stat. L. 1206–1209), for the removal of said Indians as a tribe, be available also for reestablishing individually or as a group or groups the Capitan Grande Band of Indians, including those residing within the Conejos Valley of the retained reservation, on tract or tracts of land to be acquired by purchase or otherwise for them, and for the acquiring of water rights including cost of transferring in whole or in part their present water rights to such other lands, construction of necessary water works, including the development of a water supply, for domestic and irrigation purposes, purchasing or building homes, purchasing of household furnishings, farm equipment, livestock, and other improvements for the benefit of these Indians under such rules and regulations to be prescribed by the Secretary of the Interior: *Provided*, That those Indians desiring to remain on that part of the Capitan Grande Reservation not disposed of under this Act may remain thereon and receive such benefits there."

40 Stat., 1206, vol. 4, 187.

SEC. 2. Nothing contained in section 1 hereof shall be held, deemed, or construed as affecting, altering, or in anywise changing the rights of the riparian owners under the provisions in the Act approved February 28, 1919.

Riparian ownership not affected.

Approved, May 4, 1932.

CHAP. 177.—An Act To authorize the sale, on competitive bids, of unallotted lands on the Lac du Flambeau Indian Reservation, in Wisconsin, not needed for allotment, tribal, or administrative purposes

May 13, 1932.
[H. R. 8637.]
47 Stat., 153.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That authority is hereby granted the Secretary of the Interior, in his discretion, with the consent of the Indians and under such terms and regulations as he may deem proper, to sell on competitive bids that portion of

Lac du Flambeau Indian Reservation, Wis.
Certain unallotted lands on, may be sold, on competitive bids.

the unallotted lands in the Lac du Flambeau Indian Reservation in Wisconsin comprising lot 5, section 7, township 40, range 5 east, containing twenty-one acres, more or less, title to be transferred to the purchaser by deed or by patent in fee.

Approved, May 13, 1932.

June 6, 1932.
[H. R. 208.]
47 Stat., 169.

CHAP. 207.—An Act To authorize transfer of the abandoned Indian-school site and building at Zeba, Michigan, to the L'Anse Band of Lake Superior Indians

L'Anse Band of Lake Superior Indians.
Abandoned Indian school, etc., at Zeba, Mich., transferred to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to convey by deed, without cost, to the L'Anse Band of Lake Superior Indians for community meetings and other like purposes, the abandoned Indian-school site and improvements thereon located at Zeba, Michigan, embracing approximately three-fourths of an acre of land within the east half of southeast quarter of southwest quarter of northwest quarter of section 19, township 51 north, range 32 west, Michigan meridian: *Provided*, That said conveyance shall be made to three members of the band duly elected by said Indians as trustees for the band and their successors in office.

Proviso.
Conveyance to trustees.

Approved, June 6, 1932.

June 6, 1932.
[H. R.9254.]
47 Stat., 169.

CHAP. 208.—An Act to authorize the exchange of a part of the Rapid City Indian School land for a part of the Pennington County Poor Farm, South Dakota

Rapid City, S. Dak.
Exchange of part of Indian school land for portion of Pennington County Poor Farm, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to exchange, under such rules and regulations as he may prescribe, an irregular tract of eighty-four and four-tenths acres, more or less, of the Rapid City Indian School land, located in the northwest quarter section 3, township 1 north, range 7 east of the Black Hills meridian, South Dakota, for thirty-eight and nine one-hundredths acres, more or less, of the Pennington County Poor Farm, in the adjoining north half of the southwest quarter of the same section, including all improvements thereon; transfer of title to the Indian School reserve land to be accomplished by deed.

Title transfer by deed.

Approved, June 6, 1932.

June 13, 1932.
[H. R. 7123.]
47 Stat. 302.

CHAP. 245.—An Act To amend the Act of March 2, 1917 (39 Stat. 983; U. S. Code, title 25, sec. 242)

Osage County, Okla.
Manufacture and sale of alcohol in.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of March 2, 1917 (39 Stat. 983; U. S. Code, title 25, sec. 242), declaring all of Osage County, Oklahoma, to be Indian country within the meaning of the Acts of Congress making it unlawful to introduce intoxicating liquors in the Indian country, shall be, and the same is hereby, amended by adding the following thereto: "Except that the manufacture and sale of industrial and beverage alcohol for lawful purposes shall be permitted in said Osage County, in accordance with the laws of the United States pertaining to the regulation of such industry."

39 Stat., 983, vol. 4, 121; U. S. C., p. 705, amended.

Approved, June 13, 1932.

CHAP. 254.—An Act Providing for payment of $25 to each enrolled Chippewa Indian of the Red Lake Band of Minnesota from the timber funds standing to their credit in the Treasury of the United States

June 14, 1932.
[H. R. 8393.]
47 Stat., 306.

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 and directed to withdraw from the Treasury so much as may be necessary of the principal timber fund on deposit to the credit of the Red Lake Band of the Chippewa Indians of the State of Minnesota and to make therefrom payment of $25 to each enrolled Chippewa Indian of the Red Lake Band of Minnesota, under such regulations as such Secretary shall prescribe. No payment shall be made under this Act until the Chippewa Indians of the Red Lake Band of Minnesota shall, in such manner as such Secretary shall prescribe, have accepted such payments and ratified the provisions of this Act. The money paid to the Indians under this Act shall not be subject to any lien or claim of whatever nature against any of said Indians.

Red Lake Band of Chippewa Indians.
Per capita payment to, from tribal funds.

Acceptance, etc.

Payments not subject to any lien, etc.

Approved, June 14, 1932.

CHAP. 255.—An Act To amend an Act (ch. 300) entitled "An Act authorizing the Coos (Kowes) Bay, Lower Umpqua (Kalawatset), and Siuslaw Tribes of Indians of the State of Oregon to present their claims to the Court of Claims," approved February 23, 1929 (45 Stat. 1256)[1]

June 14, 1932.
[H. R. 11120.]
47 Stat., 307.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act (ch. 300) entitled "An Act authorizing the Coos (Kowes) Bay, Lower Umpqua (Kalawatset), and Siuslaw Tribes of Indians of the State of Oregon to present their claims to the Court of Claims," approved February 23, 1929 (45 Stat. 1256), be, and the same hereby is, amended by omitting, in line 20, the words "township 26 south, range 7 west" and inserting in lieu thereof the words "township 15 south, range 6 west."

Claims of Coos Bay, Lower Umpqua Indians, Oreg.
Former Act respecting, amended.
45 Stat., 1256, amended, ante, 82.

Approved, June 14, 1932.

CHAP. 257.—An Act Authorizing a per capita payment of $50 to the members of the Menominee Tribe of Indians of Wisconsin from funds on deposit to their credit in the Treasury of the United States

June 14, 1932.
[H. R. 12045.]
47 Stat., 307.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to withdraw from the fund in the Treasury of the United States on deposit to the credit of the Menominee Indians in the State of Wisconsin a sufficient sum to make therefrom a per capita payment or distribution of $50, in two equal installments of $25 each on or about October 15, 1932, and on or about January 15, 1933, to each of the living members on the tribal roll of the Menominee Tribe of Indians of the State of Wisconsin, under such rules and regulations as the said Secretary may prescribe.

Menominee Indians of Wisconsin.

Per capita payment to, from tribal funds.

Approved, June 14, 1932.

[1] 87 Ct. Cls., 143; 306 U. S., 653.

June 18, 1932.
[H. R. 10048.]
47 Stat., 324.

CHAP. 270.—An Act Granting to the Metropolitan Water District of Southern California certain public and reserved lands of the United States in the counties of Los Angeles, Riverside, and San Bernardino, in the State of California

Metropolitan Water District of Southern California.
Granted certain lands for rights of way, etc., Minerals excepted.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the reservation, until their disposition is hereafter expressly directed by law, of all minerals except earth, stone, sand, gravel, and other materials of like character, there is hereby granted to the Metropolitan Water District of South California, a public corporation of the State of California, all lands belonging to the United States, situate in the

Location.

counties of Los Angeles, Riverside, and San Bernardino, in the State of California, including trust or restricted Indian allotments in any Indian reservation or lands reserved for any purpose in connection with the Indian Service, which have not been conveyed to any

Reserved Indian lands.

allottee with full power of alienation, which may be necessary, as found by the Secretary of the Interior, for any or all of the following purposes: Rights of way; buildings and structures; construction and maintenance camps; dumping grounds; flowage; diverting or storage dams; pumping plants; power plants; canals, ditches, pipes, and pipe lines; flumes, tunnels, and conduits for conveying water for domestic, irrigation, power and other useful purposes; poles, towers, and lines for the conveyance and distribution of electrical energy; poles and lines for telephone and telegraph purposes; roads, trails, bridges, tramways, railroads, and other

Purposes designated.

Construction material.

means of locomotion, transmission, or communication; for obtaining stone, earth, gravel, and other materials of like character; or any other necessary purposes of said district, together with the right to take for its own use, free of cost, from any public lands, within such limits as the Secretary of the Interior may determine, stone, earth, gravel, sand, and other materials of like character necessary or useful in the construction, operation, and maintenance of aqueducts, reservoirs, dams, pumping plants, electric plants, and transmission, telephone, and telegraph lines, roads, trails, bridges, tramways, railroads, and other means of locomotion, transmission, and communication, or any other necessary purposes of said district. This grant shall be effective upon (1) the filing by said grantee at any time after the passage of this Act, with the register of the United States local land office in the district where said lands are situated, of a map or maps showing the boundaries, locations, and extent of said lands and of said rights of way for the purposes hereinabove set forth; (2) the approval of such map or maps by the Secretary of the Interior, with such reservations or modifications as he may deem appropriate; (3) the payment of $1.25 per acre for all Government lands conveyed under this Act other than for the right of way for the aqueduct, and (4) for all lands conveyed in Indian reservations or in Indian allotments which have not been conveyed to the allottee with full power of alienation, the district shall pay for the benefit of the Indians such just compensation as may be determined by the Secretary of the Interior: *Provided*, That said lands for rights of way shall be along such locations and of such width, not to exceed two hundred and fifty feet, as in the judgment of the Secretary of the Interior may be required for the purposes of this Act: *And provided further*, That said lands for any of said purposes other than for rights of way for the aqueduct may be of such width or extent as may be determined by the Secretary of the Interior as necessary for such purposes.

Right to obtain, conferred.

Conditions.

Descriptive map to be furnished.

Approval, etc.

Payment for Government lands.

Indian lands.

Provisos.
Grants in conformity to construction lines, etc.

Lands other than for rights of way.

Lands, or rights of way, designated on maps previously filed.

SEC. 2. Whenever the lands or the rights of way are the same as are designated on any map heretofore filed by said district or by the city of Los Angeles in connection with any application for a right of way under any statute of the United States, which said application is still pending, or has been granted, and is unrevoked and has been transferred to and is now owned by said district, then upon the approval by the Secretary of the Interior of any such later map with such modifications and under such conditions as he may deem appropriate the rights hereby granted shall, as to such lands or rights of way, become effective as of the date of the filing of said earlier map or maps with the register of the United States local land office.

Date of filing considered date of grant.

National forest lands. Approval of maps by Secretary of Agriculture.

SEC. 3. If any of the lands to which the said district seeks to acquire title under sections 1 and 2 of this Act are in a national forest, the said map or maps shall be subject to the approval of the Secretary of Agriculture so far as national-forest lands are affected; and upon such approval and the subsequent approval by the Secretary of the Interior, title to said lands shall vest in the grantee upon the date of such subsequent approval.

By Secretary of the Interior.

Subject to prior rights, etc.

SEC. 4. Said grants are to be made subject to the rights of all claimants or persons who shall have filed or made valid claims, locations, or entries on or to said lands, or any part thereof prior to the effective date of any conflicting grant hereunder, unless prior to such effective date proper relinquishments or quitclaims have been procured and caused to be filed in the proper land office.

Reversion for non-user.

SEC. 5. On the cessation of use of the land granted for the purposes of the grant the estate of the grantee or of its assigns shall terminate and revest in the United States.

Approved, June 18, 1932.

CHAP. 278.—An Act For the relief of homesteaders on the Diminished Colville Indian Reservation, Washington

June 27, 1932.
[S. 2983.]
47 Stat., 334.

Colville Indian Reservation, Wash. Installment payments for ceded land on. 34 Stat., 80, vol. 8, 163.

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 hereby authorized, in his discretion, to extend for a period of not to exceed two years the time for the payment of any installment or installments due, or hereafter to become due, of the purchase price of lands sold under the Act of Congress approved March 22, 1906 (34 Stat. 80): *Provided*, That the payments extended under the provisions of Public Resolution Numbered 33, approved March 19, 1920 (41 Stat. 535), may be extended hereunder: *Provided further*, That any and all payments must be made when due unless the entryman applies for an extension and pays interest for one year in advance at 5 per centum per annum upon the amount due, and patent shall be withheld until full and final payment of the purchase price is made in accordance with the provisions hereof: *Provided further*, That where payments are extended hereunder for more than one year the same rate of interest shall be paid in advance for the second year: *And provided further*, That failure to make any payment that may be due, unless the same be extended, or to make any extended payment at or before the time to which such payment has been extended as herein provided, shall forfeit the entry, and the same shall thereupon be canceled, and any and all payments theretofore made shall be forfeited.

Provisos. Applicability to other payments. 41 Stat., 535, vol. 4, 264.

Patent withheld until compliance.

Interest in advance.

Forfeiture.

Approved, June 27, 1932.

June 27, 1932.
[S. 3864.]
47 Stat., 335.

CHAP. 279.—An Act Authorizing expenditures from Colorado River tribal funds for reimbursable loans.

Colorado River Indian Reservation, Ariz.
Expenditure of tribal funds for general support of, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to use not to exceed $25,000 from tribal funds on deposit to the Indians of the Colorado River Indian Reservation, Arizona, for the construction of homes for individual members of the tribe, the purchase for sale to them of seed, animals, machinery, tools, implements, building material, and other equipment and supplies, and for advances to old, disabled, or indigent Indians for their support, and Indians having irrigable allotments to assist them in the development and cultivation thereof: *Provided*, That expenditures for the purposes above set forth shall be limited to the fiscal years 1932 and 1933 and such expenditures shall be made under conditions to be prescribed by the Secretary of the Interior for repayment to the United States for deposit to the credit of the Colorado River Indian tribal funds on or before June 30, 1938, except in the case of loans on irrigable lands for permanent improvement of said lands in which the period for repayment may run for not exceeding twenty years, in the discretion of the Secretary of the Interior, and advances to old, disabled, or indigent Indians for their support, such advances to remain a charge and lien against their lands until paid.

Proviso.
Availability limited.

Reimbursable.

Exceptions.

Approved, June 27, 1932.

June 28, 1932.
[S. 4511.]
47 Stat., 336.

CHAP. 284.—An Act To amend sections 328 and 329 of the United States Criminal Code of 1910 and sections 548 and 549 of the United States Code of 1926.

Indians committing crimes against the person or property of another Indian, etc.
35 Stat., 1151, vol. 3, 423.
U. S. C., p. 504, amended.
List of crimes modified.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 328 of the United States Criminal Code of 1910 and section 548 of title 18 of the United States Code of 1926 are hereby amended to read as follows:

"All Indians committing against the person or property of another Indian or other person any of the following crimes, namely, murder, manslaughter, rape, incest, assault with intent to kill, assault with a dangerous weapon, arson, burglary, robbery, and larceny on and within any Indian reservation under the jurisdiction of the United States Government, including rights of way running through the reservation, shall be subject to the same laws, tried in the same courts, and in the same manner, and be subject to the same penalties as are all other persons committing any of the above crimes within the exclusive jurisdiction of the United States: *Provided*, That any Indian who commits the crime of rape upon any female Indian within the limits of any Indian reservation shall be imprisoned at the discretion of the court: *Provided further*, That as herein used the offense rape shall be defined in accordance with the laws of the State in which the offense was committed.

Provisos.
Imprisonment for rape.

Offense defined.

"The foregoing shall extend to prosecutions of Indians in South Dakota under section 329 of the United States Criminal Code of 1910 and section 549 of title 18 of the United States Code of 1926."

Prosecutions in South Dakota.
32 Stat., 793, amended, vol. 3, 6.
U. S. C., p. 504.

Approved, June 28, 1932.

CHAP. 285.—An Act To authorize the Secretary of the Interior to extend or renew the contracts of employment of the attorneys employed to represent the Chippewa Indians of Minnesota in litigation arising in the Court of Claims under the Act of May 14, 1926 (44 Stat. 555)[1]

June 28, 1932.
[S. 2364.]
47 Stat., 337.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and hereby is, authorized to renew the contracts of employment heretofore entered into with the attorneys employed to represent the Chippewa Indians of Minnesota in the suits instituted in the Court of Claims under authority of the Act of May 14, 1926 (44 Stat. L. 555), as amended, on a year-to-year basis but not to exceed three years, as the Secretary of the Interior may deem advisable and for the best interests of said Indians. Said attorneys shall be entitled to such compensation for their services, in addition to that heretofore paid to them, as the Court of Claims in its discretion may allow from any amount recovered in any such suit, which compensation shall not exceed the sum of 5 per centum of any such recovery for the attorney for the Chippewa of White Earth Reservation and a like compensation for the firm of attorneys employed by the other bands of Chippewa Indians of Minnesota: *Provided, however*, That the Secretary of the Interior shall continue to pay out of tribal funds belonging to the Chippewa Indians all actual and necessary expenses incurred by said attorneys in such litigation as authorized by and subject to the limitations contained in the Act of April 11, 1928 (45 Stats. 423): *And provided further*, That the compensation and expenses of the attorney or firm of attorneys employed under existing law to represent the Red Lake Band of Chippewa Indians of Minnesota shall be paid out of any money to the credit of said Indians in the Treasury of the United States not otherwise appropriated.

Chippewa Indians of Minnesota.
Prosecution of claims for relinquished lands.
44 Stat., 555, vol. 4, 546; 45 Stat., 424; ante, 41.
Contracts with attorneys renewed.

Compensation.

Limitation.

Provisos.
Expenses of attorneys.

Payment to attorneys representing Red Lake Band.

Approved, June 28, 1932.

CHAP. 316.—An Act To provide for expenses of the Crow and Fort Peck Indian Tribal Councils and authorized delegates of such tribes

June 30, 1932.
[H. R. 8031.]
47 Stat., 420.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to expend $5,000, or as much thereof as may be necessary, of the funds standing to the credit of the Crow Indians in the Treasury of the United States for expenses of the Crow Indian Tribal Council and authorized delegates of the tribe.

Crow Indians.
Expenses of tribal council.

SEC. 2. The Secretary of the Interior is further authorized to expend $5,000, or as much thereof as may be necessary, of the funds standing to the credit of the Fort Peck Indians in the Treasury of the United States for expenses of the Fort Peck Indian Tribal Council and authorized delegates of the tribe.

Fort Peck Indians.
Expenses of tribal council.

Approved, June 30, 1932.

CHAP. 317.—An Act Amending the Act of May 25, 1918, with reference to employing farmers in the Indian Service, and for other purposes

June 30, 1932.
[H. R. 10161.]
47 Stat., 421.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions in the Act of May 25, 1918 (40 Stat. L. 565), which requires "that hereafter no money shall be expended for the employment of

Indian Service.
Employment of farmers in.
40 Stat., 565, repealed, vol. 4, 150.

[1] 80 Ct. Cls., 410; 87 Ct. Cls., 1; 88 Ct. Cls., 1; 307 U. S., 1.

any farmer or expert farmer at a salary of or in excess of $50 per month, unless he shall first have procured and filed with the Commissioner of Indian Affairs a certificate of competency showing that he is a farmer of actual experience and qualified to instruct others in the art of practical agriculture, such certificate to be certified and issued to him by the president or dean of the State agricultural college of the State in which his services are to be rendered, or by the president or dean of the State agricultural college of an adjoining State," be and the same is hereby, repealed.

Approved, June 30, 1932.

June 30, 1932.
[H. R. 10022.]
47 Stat., 452.

CHAP. 330.—An Act Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1933, and for other purposes

Independent Offices Appropriation Act, 1933.

Appropriation for fiscal year ending June 30, 1933.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1933, namely:

* * * * * * *

Smithsonian Institution.

SMITHSONIAN INSTITUTION

* * * * * * *

American ethnology.

American ethnology: For continuing ethnological researches among the American Indians and the natives of Hawaii, the excavation and preservation of archæologic remains under the direction of the Smithsonian Institution, including necessary employees, the preparation of manuscripts, drawings, and illustrations, the purchase of books and periodicals, and traveling expenses, $66,640.

* * * * * * *

Approved, June 30, 1932.

June 30, 1932.
[S. 4808.]
47 Stat., 474.

CHAP. 333.—An Act Relating to the acquisition of restricted Indian lands by States, counties, or municipalities.

Five Civilized Tribes, Okla.
46 Stat., 1471, amended; ante, 234.

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 relieve restricted Indians in the Five Civilized Tribes whose nontaxable lands are required for State, county, or municipal improvements or sold to other persons, and for other purposes," approved March 2, 1931, is amended to read as follows:

Reinvestment of receipts from sale, etc., of nontaxable land of a restricted Indian.

"That whenever any nontaxable land of a restricted Indian of the Five Civilized Tribes or of any other Indian tribe is sold to any State, county, or municipality for public-improvement purposes, or is acquired, under existing law, by any State, county, or municipality by condemnation or other proceedings for such public purposes, or is sold under existing law to any other person or corporation for other purposes, the money received for said land may, in the discretion and with the approval of the Secretary of the Interior be reinvested in other lands selected by said Indian, and such land so selected and purchased shall be restricted as to alienation, lease, or incumbrance, and nontaxable in the same quantity and upon the same terms and conditions as the nontaxable lands from which the reinvested funds were derived, and such restrictions shall appear in the conveyance."

Restriction on selected lands.

Approved, June 30, 1932.

CHAP. 361.—An Act Making appropriations for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1933, and for other purposes.

July 1, 1932.
[H. R. 9349.]
47 Stat., 475.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1933, namely:

Appropriations for Departments of State and Justice, the Judiciary, and Departments of Commerce and Labor.

* * * * * * *

TITLE II—DEPARTMENT OF JUSTICE

Department of Justice.

* * * * * * *

Miscellaneous.

MISCELLANEOUS OBJECTS, DEPARTMENT OF JUSTICE

* * * * * * *

Defending suits in claims against the United States: For necessary expenses incurred in the examination of witnesses, procuring evidence, employment of experts at such rates of compensation as may be authorized or approved by the Attorney General, and such other expenses as may be necessary in defending suits in the Court of Claims, including Indian depredation claims, to be expended under the direction of the Attorney General, $60,000.

Defending suits in claims.

Indian depredation claims.

* * * * * * *

Approved, July 1, 1932.

CHAP. 364.—An Act Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1932, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1932, and June 30, 1933, and for other purposes

July 1, 1932.
[H. R. 12443.]
47 Stat., 525.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1932, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1932, and June 30, 1933, and for other purposes, namely:

Second Deficiency Act, fiscal year 1932.

* * * * * * *

DEPARTMENT OF THE INTERIOR

Interior Department.

BUREAU OF INDIAN AFFAIRS

Indian Affairs Bureau.

Purchase and transportation of Indian supplies: For an additional amount for expenses of purchase and for transportation of goods and supplies for the Indian Service, fiscal year 1931, $210,000.

Indian supplies.

Compensation to Pueblo Indians of New Mexico: For carrying out the provisions of the Act of June 7, 1924 (43 Stat. 636), to quiet title in Pueblo Indian lands, New Mexico, and in settlement for damages for lands and water rights lost to the Indians of the pueblos, as recommended in the respective reports of the Pueblo Lands Board thereon, the sum of $55,502.02, fiscal year 1933, as follows:

Pueblo Indian lands, New Mexico.
Quieting title, etc.
43 Stat., 636, vol. 4, 454.
Payment to Indians for property damaged.

Laguna, $33,566.47, which may be expended for the purchase of land, irrigation, drainage, and other improvements, and the purchase of equipment for the benefit of the Laguna Pueblo Indians; San Felipe, supplemental, $21,860.88, which, together with the unexpended

Payment to Indians of designated pueblos.

Laguna.
San Felipe.

Balance reappropriated.
45 Stat., 1569; ante, 99.

balance of the original award for this pueblo, may be expended for the purchase of land, irrigation, drainage, and other improvements, and the purchase of equipment for the benefit of the San Felipe Pueblo Indians; Nambe, supplemental, $1.40; San Ildefonso, supplemental, $73.27.

Nambe, supplemental.

Tongue River Agency, Mont.

Tongue River Agency, Montana: The unexpended balance of the appropriation of $27,000 contained in the Second Deficiency Act, fiscal year 1931 (46 Stat. 1565), for power plant, Tongue River Agency, Montana, is hereby continued available until June 30, 1933, for the same purpose or, in the discretion of the Secretary of the Interior, for constructing a power line and distribution system, including purchase of equipment and necessary rights of way, between Colstrip and Lame Deer, Montana.

Power system.
Balance reappropriated.
46 Stat., 1565; ante, 246.

Rights of way.

Indian village, Elko, Nev.
46 Stat., 1566; ante, 241.

Indians near Elko, Nevada: The unexpended balance of the appropriation contained in the Second Deficiency Act, fiscal year 1931 (46 Stat. 1563), for the purchase of a village site, construction, removal, repair, or enlargement of homes, and installation of sewer and water systems for the use and benefit of Indians near Elko, Nevada, is hereby continued available until June 30, 1933.

Isleta Pueblo, N. Mex.
Fence.

Isleta Pueblo, New Mexico: For fencing lands belonging to the Indians of the Isleta Pueblo, New Mexico, fiscal year 1933, $1,532.21, payable from funds on deposit in the Treasury of the United States to the credit of such Indians.

Jemez Pueblo, N. Mex.

Jemez Pueblo, New Mexico: For the purchase of land, including necessary costs of conveyance, for the Jemez Pueblo, New Mexico, fiscal year 1933, $550, payable from funds on deposit to the credit of such pueblo.

Picuris Pueblo, N. Mex.
Farm equipment.

Picuris Pueblo, New Mexico: For purchase of farm equipment for the Picuris Pueblo, New Mexico, fiscal year 1933, $2,500, payable from funds on deposit to the credit of such pueblo.

New Mexico, pueblos.
Farm equipment.
46 Stat., 288, 1122; ante, 154, 224.

Indians of certain pueblos, New Mexico: To reimburse appropriations for "Industry Among Indians," fiscal years 1931 and 1932, for expenditures made therefrom in the purchase of farm equipment for Indians of pueblos in New Mexico hereinafter named, the following sums are hereby made available from funds heretofore appropriated for payment to the respective pueblos for damages for loss of lands and water rights: San Juan, $2,500; Santo Domingo, $1,500; and Cochiti, $2,500; in all, $6,500.

Industry among Indians.

Industry among Indians: Not more than $50,000 of the appropriation of $475,000 contained in the Interior Department Appropriation Act, fiscal year 1933, for encouraging industry and self-support among Indians, is hereby made available for the purchase of sheep for the Jicarilla Indians, New Mexico, to replace losses occasioned by reason of storms during the winter of 1931 and 1932: *Provided*, That expenditures hereunder shall be reimbursed to the United States from future accruals to Jicarilla tribal funds: *Provided further*, That purchase of sheep under this authorization may be made without compliance with the requirements of Section 3709 of the Revised Statutes.

Purchase of sheep for Jicarilla Indians, New Mexico.
Provisos.
Repayment.
Purchase without advertising.
R. S., sec. 3709, p. 733.
U. S. C., p. 1309.
Zuni, N. Mex.

Irrigation, etc.

Zuni Indian Reservation, New Mexico: For an additional amount for the construction, repair, and maintenance of irrigation systems, and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian reservations, as follows: Zuni, New Mexico, fiscal years 1932 and 1933, $11,000, reimbursable.

Crow, Mont.
Balance available.
46 Stat., 1127; ante, 226.

Crow Indian Reservation, Montana: The unexpended balance of the appropriation of $19,840 contained in the Interior Department Appropriation Act, fiscal year 1932, for payment to or cooperation with an irrigation district formed for the purpose of reclaiming seeped

areas under the Two Leggins unit, Crow Indian irrigation project, Montana, embracing approximately one thousand two hundred and forty acres of trust patent Indian land, is hereby continued available for the same purposes until June 30, 1933.

Blackfeet, Mont.

Blackfeet Indian Reservation, Montana: The paragraph under the heading Bureau of Indian Affairs, Irrigation and Drainage, in the Interior Department Appropriation Act, fiscal year 1933, reading "For improvement, maintenance, and operation, $41,000 (reimbursable)" is hereby amended to read "For improvement, maintenance, and operation of the irrigation systems, Blackfeet Reservation, Montana, $41,000 (reimbursable)."

Truckee-Carson irrigation district, Nevada.

Paying charges on Paiute Indian lands.

Paiute Indian lands, Nevada: For payment to the Truckee-Carson irrigation district, Fallon, Nevada, the proportionate share of the benefits received by four thousand eight hundred and seventy-seven and three-tenths irrigable acres of Paiute Indian lands within the Newlands irrigation project, for necessary repairs to the Truckee Canal to restore said canal to its original capacity, as authorized by the Act of June 27, 1930 (46 Stat. 820), fiscal year 1931, $100; fiscal year 1932, $200; fiscal year 1933, $200; in all, $500.

46 Stat., 820; ante, 180.

Indian pupils in public schools.

Tuition of Indian children in public schools: For an additional amount for payment of tuition of Indian children attending in public schools, fiscal year 1932, $62,900: *Provided*, That payments may be made from this appropriation for tuition of pupils attending public school under contracts heretofore entered into for the fiscal year 1932.

Proviso.
Contracts.

Warm Springs, Oreg.
Balance available.
46 Stat., 1131; ante, 231.

Indian school, Warm Springs, Oregon: The unexpended balances of the appropriations of $65,000 each for girls' and boys' dormitories, Warm Springs School, Oregon, contained in the Interior Department Appropriation Act, fiscal year 1932 (46 Stat. 1130), are hereby continued available until June 30, 1933, for the same purposes, including the purchase of equipment for such buildings.

Mount Pleasant, Mich.

Indian school, Mount Pleasant, Michigan: For an additional amount for the support of three hundred and seventy-five pupils, fiscal year 1930, $2,154.09.

Pipestone, Minn.

Indian school, Pipestone, Minnesota: For new school building and auditorium, including equipment, $75,000, to remain available until June 30, 1933.

Oglala, S. Dak.

Indian school, Oglala, South Dakota: For replacement and repair of buildings and equipment destroyed or damaged by cyclone at the Oglala Boarding School, Pine Ridge Reservation, South Dakota, fiscal years 1932 and 1933, $65,000.

Chippewa children in public schools, from tribal funds.

Tuition for Chippewa Indian children in public schools: The Secretary of the Interior is authorized to withdraw from the Treasury of the United States the additional sum of $10,000, or so much thereof as may be necessary, of the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota arising under section 7 of the Act of January 14, 1889 (25 Stat. 645), and to expend the same for payment of tuition for Chippewa Indian children enrolled in the public schools of the State of Minnesota during the fiscal year 1932.

25 Stat., 645, vol. 1, 805.

Saint Louis Mission School.
Osage children.

Education of unallotted Osage Indian children: For the education of unallotted Osage Indian children in the Saint Louis Mission Boarding School, fiscal years 1932 and 1933, $4,000, payable from funds held in trust by the United States for the Osage Tribe: *Provided*, That not to exceed $2,000 of said amount may be expended to meet obligations heretofore incurred during the fiscal year 1932.

Proviso.
Prior obligations.

Unalakleet, Alaska.
School construction, maintenance, etc.

Education of natives of Alaska: For an additional amount to provide for the construction of a school building and teacherage at Unalakleet, Alaska, including necessary equipment, supplies, freight,

and other expenses in connection therewith, fiscal years 1932 and 1933, $15,000.

Freight.

Not exceeding $10,789.43 of the unexpended balance of the appropriation for education of natives in Alaska, fiscal year 1930–1931, shall be available for payment of obligations for freight, including operation of the United States ship Boxer, in addition to the amount made available for these purposes for such fiscal year.

U. S. S. "Boxer." Operating, etc.

Medical relief in Alaska.

Medical relief in Alaska: For an additional amount to meet outstanding obligations in excess of the appropriation of $268,761 contained in the Interior Department Appropriation Act for the fiscal year 1931, including obligations heretofore incurred during the fiscal year 1932, for labor and material in connection with the construction of the Mountain Village Hospital, $8,268.51.

46 Stat., 321, 1137; ante, 169, 236.

Choctaws and Chickasaws.

Choctaw and Chickasaw Nations: The limitations contained in the Interior Department Appropriation Act of May 14, 1930, fiscal year 1931 (46 Stat. 302), for expenses incurred by the tribal attorney for the Choctaw Nation and the mining trustee for the Choctaw and Chickasaw Nations, Oklahoma, are hereby increased from $2,500 and $1,000, respectively, to $3,300 and $1,662.53, respectively.

46 Stat., 302; ante, 166.

Tribal attorney and mining trustee.

Amount for expenses increased.

Relief of indigent Indians.

Relief of indigent Indians: For relief of indigent Indians, fiscal year 1933, $50,000.

* * * * * * *

Audited claims.

AUDITED CLAIMS

Payment of.

SEC. 4. For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1929 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in House Document Numbered 326, Seventy-second Congress, there is appropriated as follows:

18 Stat., 110. U. S. C., p. 1022.

23 Stat., 254. U. S. C., p. 43.

* * * * * * *

Department of the Interior.

DEPARTMENT OF THE INTERIOR

* * * * * * *

Audited claims—Continued.

For industry among Indians, $213.94.

For conservation of health among Indians, $55.58.

For education, Sioux Nation, $2.75.

For Indian schools: Support, $40.

For irrigation, San Carlos and Florence-Casa Grande project, Arizona (reimbursable), $42.32.

* * * * * * *

Audited claims.

AUDITED CLAIMS

Payment of additional.

SEC. 5. That for the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1929 and prior years, unless otherwise stated, and which have been certified to Congress under

18 Stat., 110. U. S. C., p. 1022.

section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in Senate Document Numbered 119, Seventy-second Congress, there is appropriated as follows:

23 Stat., 254.
U. S. C., p. 43.

* * * * * * *

DEPARTMENT OF THE INTERIOR

Audited claims—Continued.
Department of the Interior.

For support and civilization of Indians, $11.75.
For conservation of health among Indians, $49.58.

* * * * * * *

Approved, July 1, 1932.

CHAP. 369.—An Act To authorize the Secretary of the Interior to adjust reimbursable debts of Indians and tribes of Indians[1]

July 1, 1932.
[H. R. 10884.]
47 Stat., 564.

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 hereby authorized and directed to adjust or eliminate reimbursable charges of the Government of the United States existing as debts against individual Indians or tribes of Indians in such a way as shall be equitable and just in consideration of all the circumstances under which such charges were made: *Provided*, That the collection of all construction costs against any Indian owned lands within any Government irrigation project is hereby deferred, and no assessments shall be made on behalf of such charges against such lands until the Indian title thereto shall have been extinguished, and any construction assessments heretofore levied against such lands in accordance with the provisions of the Act of February 14, 1920 (41 Stat. L. 409), and uncollected, are hereby canceled: *Provided further*, That a report shall be made to Congress annually, on the first Monday in December, showing adjustments so made during the preceding fiscal year: *Provided further*, That any proceedings hereunder shall not be effective until approved by Congress unless Congress shall have failed to act favorably or unfavorably thereon by concurrent resolution within sixty legislative days after the filing of said report, in which case they shall become effective at the termination of the said sixty legislative days.

Indians.
Adjustment of reimbursable debts of, authorized.

Provisos.
Collection of construction costs.

41 Stat., 409, vol. 4, 235.
Report to Congress.

Approval of Congress.

Approved, July 1, 1932.

CHAP. 443.—An Act Making appropriations for the Department of Agriculture for the fiscal year ending, June 30, 1933, and for other purposes

July 7, 1932.
[H. R. 7912.]
47 Stat., 609.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Agriculture for the fiscal year ending June 30, 1933, namely:

Department of Agriculture appropriations, fiscal year 1933.

* * * * * * *

BUREAU OF PUBLIC ROADS

Public Roads Bureau.

* * * * * * *

The appropriation of $3,000,000 for roads on unappropriated or unreserved public lands, nontaxable Indian lands, and so forth, contained in the Act entitled "An Act making supplemental appropria-

Cooperative road construction on unappropriated, etc. Indian lands.

[1] 54 I. D. D., 101, 198.

Balance available. 46 Stat., 1031 ; ante, 216.

tions to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment," approved December 20, 1930, is hereby continued available during the fiscal year 1933, and not to exceed $4,760 may be used for personal services in the District of Columbia.

* * * * * * *

Approved, July 7, 1932.

[For Act approved July 21, 1932 (47 Stat., 711) see Post, 634]

PRIVATE ACTS OF THE SEVENTY-SECOND CONGRESS, FIRST SESSION, 1931–1932

February 10, 1932. [S. 2406.]
47 Stat., 1656.

CHAP. 37.—An Act For the relief of Harvey K. Meyer, and for other purposes

Harvey K. Meyer. Credit allowed in accounts of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of Harvey K. Meyer, superintendent and special disbursing agent at Colville Agency, Washington, for payments aggregating $312.67, made from tribal funds of the Spokane Indians to William S. Lewis, of Spokane, Washington, to reimburse him for travel expenses incurred in behalf of said Indians, as provided in his contract with them as their attorney, which payments were disallowed by the General Accounting Office for the reason as claimed that there was no authority of law therefor.

Approved, February 10, 1932.

March 1, 1932. [H. R. 4145.]
47 Stat., 1657.

CHAP. 66.—An Act For the relief of Thomas C. LaForge

Thomas C. LaForge. Land patent in fee authorized. 41 Stat., 751, vol. 4, 271.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to issue a patent in fee to Thomas C. LaForge, Crow allottee numbered 1257, for land allotted to him under the provisions of the Act of June 4, 1920 (41 Stat. L. 751), and designated as homestead.

Approved, March 1, 1932.

March 1, 1932. [H. R. 4150.]
47 Stat., 1657.

CHAP. 67.—An Act Authorizing issuance of patents in fee to Benjamin Spottedhorse and Horse Spottedhorse for certain lands

Benjamin Spottedhorse. Land patent in fee, authorized. 41 Stat., 751, vol. 4, 271.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to issue a patent in fee to Benjamin Spottedhorse, Crow allottee numbered 1335, for land allotted to him under the provisions of the Act of June 4, 1920 (41 Stat. L. 751), and described as the northeast quarter and east half of northwest quarter section 16, township 8 south, range 32 east, comprising two hundred and forty acres.

Horse Spottedhorse. Land patent in fee, authorized.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to issue a patent in fee to Horse Spottedhorse, Crow allottee numbered 1336, for land allotted to her under the provisions of the Act of June 4, 1920, supra, and described as the west half of northwest quarter section 16, township 8 south, range 32 east, comprising eighty acres.

Approved, March 1, 1932.

CHAP. 264.—An Act For the relief of Florian Ford

June 14, 1932.
[H. R. 5940.]
47 Stat., 1674.

Florian Ford.
Payment to, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any funds in the Treasury not otherwise appropriated, the sum of $175 to Florian Ford, in full settlement for his loss through the burning of his barn and other property, located on land under the police jurisdiction of the Crow Indian Agency, under authorization of Federal officers engaged in the capture of George Bolton on October 29, 1926.

Approved, June 14, 1932.

CHAP. 304.—An Act For the relief of Ross E. Adams

June 28, 1932.
[S. 2909.]
47 Stat., 1680.

Ross E. Adams.
Reimbursement to, for overpayment on homestead entry.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay to Ross E. Adams, of Nashua, Montana, out of any money in the Treasury deposited to the credit of the Fort Peck Indians, a sum equal to the amount found by the Commissioner of the General Land Office to have been paid by the said Ross E. Adams in excess of lawful requirements on account of his original homestead entry on lands within the Fort Peck Indian Reservation, less any amounts unpaid on the date of enactment of this Act on account of his additional entry made on May 21, 1926, on lands within such reservation. Such sum shall be in full satisfaction of his claim for a refund of overpayments on account of such original entry, and the Secretary of the Interior is authorized and directed to issue patent to the lands covered by such additional entry without the requirement of any further payments.

Patent to issue.

Approved, June 28, 1932.

CHAP. 339.—An Act For the relief of J. N. Gordon

June 30, 1932.
[H. R. 8777.]
47 Stat., 1682.

J. N. Gordon.
Claim of, allowed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he hereby is, authorized and directed to adjust and settle the claim of J. N. Gordon, arising out of the relinquishment of certain lands included in mineral entry, Denver, numbered 040111, for which the payments had theretofore been made, and to allow said claim in the amount of $382.50 in full and final settlement thereof.

SEC. 2. To enable the Comptroller General to carry out the provisions of this Act there is hereby appropriated, out of that subdivision of the Confederated Bands of Utes 4 per centum fund to which the same was heretofore credited, the sum of $382.50 to pay this claim.

Payment, from Ute Indian funds.

Approved, June 30, 1932.

CONCURRENT RESOLUTIONS OF CONGRESS, SEVENTY-SECOND CONGRESS, FIRST SESSION, 1932–1933

March 31, 1932.
47 Stat., 1776.

JURISDICTION IN MANAGEMENT OF INDIAN COUNTRY

Jurisdiction in management of Indian country.
Return of bill relative to, requested.

Resolved by the Senate (the House of Representatives concurring), That the President of the United States be, and he is hereby, requested to return to the Senate the enrolled bill (S. 3322) entitled "An Act

to transfer certain jurisdiction from the War Department in the management of Indian country."

Passed, March 31, 1932.

PUBLIC ACTS OF THE SEVENTY-SECOND CONGRESS, SECOND SESSION, 1932–1933

January 20, 1933.
[S. 5252.]
47 Stat., 772.

CHAP. 15.—An Act Providing for payment of $25 to each enrolled Chippewa Indian of Minnesota from the funds standing to their credit in the Treasury of the United States

Chippewa Indians of Minnesota.
Per capita payment to, from tribal funds.

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 and directed to withdraw from the Treasury so much as may be necessary of the principal fund on deposit to the credit of the Chippewa Indians in the State of Minnesota, under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota," approved January 14, 1889, as amended, and to make therefrom payment of $25 to each enrolled Chippewa Indian of Minnesota, under such regulations as such Secretary shall prescribe. No payment shall be made under this Act until the Chippewa Indians of Minnesota shall, in such manner as such Secretary shall prescribe, have accepted such payments and ratified the provisions of this Act. The money paid to the Indians under this Act shall not be subject to any lien or claim of whatever nature against any of said Indians.

25 Stat., 645, vol. 1, 305.

Approved, January 20, 1933.

January 26, 1933.
[S. 3675.]
47 Stat., 776.

CHAP. 21.—An Act Relating to the deferment and adjustment of construction charges for the years 1931 and 1932 on Indian irrigation projects

Indian irrigation projects.
Payment of 1931 construction charges deferred.

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, under such rules and regulations as he may prescribe, to defer the payment of such of the construction charges as are in default for the calendar year 1931 on irrigation projects under the direction of the Commissioner of Indian Affairs, and to adjust the construction charges for the calendar year 1932 on such projects, in the same manner and under the same terms as provided by the Act of Congress for the temporary relief of water users on irrigation projects constructed and operated under the reclamation law, approved April 1, 1932 (Public, Numbered 70, Seventy-second Congress).

47 Stat., 75; ante, 251.

Approved, January 26, 1933.

January 27, 1933.
[H. R. 8750.]
47 Stat., 777.

CHAP. 23.—An Act Relative to restrictions applicable to Indians of the Five Civilized Tribes in Oklahoma[1]

Five Civilized Tribes of Indians, Okla.
Funds, etc., of certain members declared restricted.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all funds and other securities now held by or which may hereafter come under the supervision of the Secretary of the Interior, belonging to and only so

[1] 64 Fed. (2d), 979, 982; 73 Fed. (2), 845–8; 92 Fed. (2), 249; 103 Fed. (2), 37; 105 Fed. (2), 398; 54 I. D. D., 382; 62 Pac. Rep. (2), 501; 63 Pac. Rep., 724; 70 Pac. Rep., 75.

long as belonging to Indians of the Five Civilized Tribes in Oklahoma of one-half or more Indian blood, enrolled or unenrolled, are hereby declared to be restricted and shall remain subject to the jurisdiction of said Secretary until April 26, 1956, subject to expenditure in the meantime for the use and benefit of the individual Indians to whom such funds and securities belong, under such rules and regulations as said Secretary may prescribe: *Provided*, That where the entire interest in any tract of restricted and tax-exempt land belonging to members of the Five Civilized Tribes is acquired by inheritance, devise, gift, or purchase, with restricted funds, by or for restricted Indians, such lands shall remain restricted and tax-exempt during the life of and as long as held by such restricted Indians, but not longer than April 26, 1956, unless the restrictions are removed in the meantime in the manner provided by law: *Provided further*, That such restricted and tax-exempt land held by anyone, acquired as herein provided, shall not exceed one hundred and sixty acres: *And provided further*, That all minerals, including oil and gas, produced from said land so acquired shall be subject to all State and Federal taxes as provided in section 3 of the Act approved May 10, 1928 (45 Stat. L. 495).

Supervision of expenditure.

Provisos.
Duration of restriction.

Tax-exempt lands.

Maximum area.

Minerals subject to taxation.

45 Stat., 495; ante, 44.

SEC. 2. The Secretary of the Interior be, and he is hereby, authorized to permit, in his discretion and subject to his approval, any Indian of the Five Civilized Tribes, over the age of twenty-one years, having restricted funds or other property subject to the supervision of the Secretary of the Interior, to create and establish, out of the restricted funds or other property, trusts for the benefits of such Indian, his heirs, or other beneficiaries designated by him, such trusts to be created by contracts or agreements by and between the Indian and incorporated trust companies or such banks as may be authorized by law to act as fiduciaries or trustees: *Provided*, That no trust company or bank shall be trustee in any trust created under this Act which has paid or promised to pay to any person other than an officer or employee on the regular pay roll thereof any charge, fee, commission, or remuneration for any service or influence in securing or attempting to secure for it the trusteeship in any trust: *Provided further*, That all trust agreements or contracts made or entered into prior to the date of approval of this Act, and all contracts or agreements made or entered into prior to said date providing for or looking to the creation of such trust or trusts shall be null and void unless such contracts or agreements shall have heretofore been approved by the Secretary of the Interior.[2]

Creation of trusts by Indians.

Provisos.
Restriction on payment of trustees' fees.

Trust agreements, approval of.

SEC. 3. The Secretary of the Interior be, and he is hereby, authorized, upon the execution and approval of any trust agreement or contract as herein provided, to transfer, or cause to be transferred, to the trustee, from the individual restricted or trust funds or other restricted property of the respective Indian, the funds or property required by the terms of the approved agreement, and the funds or property so transferred shall in each case be held by the trustee subject to the terms and conditions of the trust agreement or contract creating the trust, separate and apart from all assets, investments or trust estates in the hands of said trustee.

Transfers to trustee authorized.

Segregation of assets.

SEC. 4. None of the restrictions upon the funds or property transferred under the terms of any such trust agreement or contract shall be in any manner released during the continuance of the restriction period now or hereafter provided by law, except as provided by the

Release of trust agreement restrictions denied.

[2] 37 Opp. Atty. Gen., 193; 54 I. D. D., 310.

Alienation of corpus and income.

terms of such agreement or contract, and neither the corpus of said trust nor the income derived therefrom shall, during the restriction period provided by law, be subject to alienation, or encumbrance, nor to the satisfaction of any debt or other liability of any beneficiary of such trust during the said restriction period. The trustee shall render an annual accounting to the Secretary of the Interior and to the beneficiary or beneficiaries to whom the income for the preceding year, or any part thereof, was due and payable.

Annual accounting required.

Irrevocability of approved contracts.

SEC. 5. Trust agreements or contracts executed and approved as herein provided shall be irrevocable except with the consent and approval of the Secretary of the Interior: *Provided*, That if any trust, trust agreement, or contract be annulled, canceled, or set aside by order of any court, or otherwise, the principal or corpus of the trust estate, with all accrued and unpaid interest, shall be returned to the Secretary of the Interior as restricted individual Indian property.

Proviso.
Revesting of funds if trust agreement annulled.

Illegally procured trusts.

SEC. 6. If, after the creation and approval of any trust, it is found that said trust was procured in violation of any of the provisions of this Act, or that the trustee designated therein has failed or refused to properly perform the duties imposed thereby, in accordance with the terms, provisions and requirements of said trust agreement, it shall be the duty of the Attorney General to institute appropriate proceedings in the Federal courts for the cancellation and annulment of said trust by court decree, and upon decree of annulment and cancellation, which shall be at the cost of the trustee, and after accounting, but without the allowance of any fee, charge, or commission for any services rendered by the trustee, all funds held by the trustee shall be paid to the Secretary of the Interior as restricted funds, and the Federal courts are hereby given exclusive jurisdiction of all actions involving an accounting under any trust created under the provisions of this Act, and all actions to cancel, annul, or set aside any trust entered into pursuant to this Act.

Cancellation proceedings.

Return of trust funds.

Jurisdiction, etc., of courts.

Administration of Act.

SEC. 7. The Secretary of the Interior is hereby authorized to prescribe such rules and regulations as he may deem necessary for the proper administration of this Act. He shall fix and determine the value of each trust, revising such valuation from time to time as he may deem necessary, and, for the faithful performance of each trust agreement or contract, shall require corporate surety company bond equal to the value of the respective trust so fixed and determined, or the deposit of securities of the United States Government equal to such amount: *Provided, however*, That trusts created under the provisions of this Act shall not extend beyond a period twenty-one years after the death of the last survivor of the named beneficiaries in the respective trust agreement.

Valuation of trust, bond, etc.

Proviso.
Trust period restriction.

Oklahoma courts.
Attorneys to represent restricted members.
35 Stat., 312, vol. 3, 351.

SEC. 8. That it shall be the duty of the attorneys provided for under the Act of May 27, 1908 (35 Stat. L. 312), to appear and represent any restricted member of the Five Civilized Tribes before the county courts of any county in the State of Oklahoma, or before any appellate court thereof, in any matter in which said restricted Indians may have an interest, and no conveyance of any interest in land of any full-blood Indian heir shall be valid unless approved in open court after notice in accordance with the rules of procedure in probate matters adopted by the Supreme Court of Oklahoma in June of 1914, and said attorneys shall have the right to appeal from the decision of any county court approving the sale of any interest in land, to the district court of the district to which the county is a part.

Approval of conveyances required.

Right of appeal.

Approved, January 27, 1933.

CHAP. 26.—An Act Making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1933, and for other purposes

January 30, 1933.
[H. R. 14436.]
47 Stat., 781.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1933, and for other purposes, namely:

First Deficiency Act, fiscal year 1933.

* * * * * * *

AUDITED CLAIMS

Audited claims.

SEC. 4. For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1930 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in House Document Numbered 510, Seventy-second Congress, there is appropriated as follows:

Payment.

18 Stat., 110.
U. S. C., p. 1022.

23 Stat., 254.
U. S. C., p. 43.

* * * * * * *

DEPARTMENT OF THE INTERIOR

Department of the Interior.

* * * * * * *

For industry among Indians, $7.37.

For Indian agency buildings, $14.80.

For purchase and transportation of Indian supplies, $2.71.

For irrigation, San Carlos and Florence-Casa Grande projects, Arizona (reimbursable), $4.26.

For conservation of health among Indians, $118.73.

For Indian boarding schools, $157.97.

For Indian school support, $176.78.

For relieving distress and prevention, and so forth, of diseases among the Indians, $114.

For support and civilization of Indians, $11.85.

For support of Indians and administration of Indian property, $19.35.

* * * * * * *

AUDITED CLAIMS

Audited claims.

SEC. 5. That for the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1930 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in Senate Document Numbered 165, Seventy-second Congress, there is appropriated as follows:

Payment of additional.
18 Stat., 110.
U. S. C., p. 1022.

23 Stat., 254.
U. S. C., p. 43.

* * * * * * *

Department of the Interior.

DEPARTMENT OF THE INTERIOR

For relieving distress and prevention, and so forth, of diseases among Indians, $250.

For conservation of health among Indians, $83.

* * * * * * *

Approved, January 30, 1933.

February 14, 1933.
[S. J. Res. 167.]
47 Stat., 807.

CHAP. 65.—Joint Resolution To carry out certain obligations to certain enrolled Indians under tribal agreement

Indian allottees.
Claims for unpaid interest on refunds of certain Federal taxes, allowed.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That any person duly enrolled as a member of an Indian tribe who received in pursuance of a tribal treaty or agreement with the United States an allotment of land which by the terms of said treaty or agreement was exempted partially or in total from taxation, and from which land the restrictions have been or have not been removed and who was required or permitted contrary to law to pay any illegal or unauthorized Federal inheritance tax or Federal income tax on the rents, royalties, or other gains arising from such allotted lands, and who under the law and rulings of the Treasury Department have secured a refund of the taxes so illegally or erroneously collected but who did not receive interest on such refunds in accordance with the laws and the regulations in force at the time the refund was secured and who have failed to file a claim for the allowance of such interest, shall be allowed one year after the approval of this Act within which to file such claim, and if otherwise entitled thereto may recover such interest on such illegally collected taxes in the same manner and to the same extent as if such claims for interest had been theretofore duly filed as required by law, it not being the policy of the Government to invoke or plead a statute of limitations to escape the obligations of agreements solemnly entered into with its Indian wards: *Provided, however*, That in the case of the death of any person any such interest on the refund of illegal taxes paid by him or on his account may in like manner be claimed and recovered by the person or persons who would have received such money had it constituted a part of his estate at the time of his death: *Provided further*, That no interest on such refunds shall be payable prior to the time provided by law for the payment of interest in any such similar cases: *Provided further*, That it shall be unlawful for any person acting as attorney or agent for any claimant to receive more than a total of 5 per centum of the amount collected under the provisions of this Act, and any person collecting a total amount from such claimant in excess of said 5 per centum shall be guilty of a misdemeanor and punished by a fine not exceeding $1,000 or imprisonment not exceeding six months, or both.

To be filed within one year.

Recovery.

Provisos.
Payment to estate if allottee deceased.

Prior payment.

Limitation on attorney's, etc., fee.

Penalty for violation.

Approved, February 14, 1933.

February 15, 1933.
[H. R. 12329.]
47 Stat., 808.

CHAP. 74.—An Act To establish the boundary lines of the Chippewa Indian territory in the State of Minnesota

Chippewa Indian territory, Minn.
Boundaries reduced.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on and after the passage of this Act the territory in Minnesota to be considered as

Indian-treaty territory under provisions of article 7 of the treaty of February 22, 1855 (10 Stat. L. 1165–1169), between the United States and the Mississippi Bands of Chippewa Indians shall be reduced to the territory within the boundaries described as follows:

10 Stat., 1169, vol. 2, 689.

Description.

Beginning at the intersection of the range line common to ranges 32 and 33 west, with the common county line of Beltrami and Hubbard Counties of the State of Minnesota. From thence, bearing north following and on said range line to the northwest corner of township 148 north, range 32 west; thence angling to the right on to the north bounds of said township and bearing east on said bounds to the northeast corner thereof; thence continuing east on the said north bounds of said township 148 north, across ranges 31 and 30 west to the county line of Beltrami and Itasca Counties; thence north on said county line to the southwest corner of Koochiching County; thence east on the south bounds of Koochiching County to the corrected range line as between ranges numbered 25 on the west and 27 on the east side thereof; thence north on the last described range line to the northwest corner of township 66 north of the aforesaid range 27; thence east on the north bounds of said township across ranges numbered 27, 26, 25, 24, 23, 22, 21, 20, 19, and part of 18 to the point of intersection of said line with the Vermillion River; thence angling to the right on to a right line that will intersect the south boundary line of township 63 north, range 19 west. This point of intersection is equidistant from the southeast corner of said township 63 and the center of the railroad track of the Duluth, Winnipeg and Pacific Railroad, as measured on and along the said south bounds of said township; thence west on and along the said south bounds of township 63, crossing part of range 19 and the whole of ranges 20 and 21, to the southeast corner of Koochiching County; thence continuing west on the south bounds of said county to its intersection with the common line as between ranges 25 and 26 bearing north into Koochiching County and south into Itasca County; thence south on to the south range line, being also the west bounds of townships 56, 57, 58, 59, 60, 61, and 62 north of range 25 as in Itasca County to the southeast corner of township 56 north, range 26; thence west onto and following the south bounds of said township to its intersection with the corrected range line common to range 25 on the west side and range 27 on the east side thereof; thence angling to the left onto and following the said range line south, from this point being the common division line as between, in part, Itasca and Aitkin Counties, to the southeast corner of township 139 north, range 25 west; thence west on and along the south bounds of said township in range 25 west, crossing ranges 25, 26, 27, 28, 29, 30, and 31 to the southeast corner of Hubbard County; thence north on the east bounds of Hubbard County to the northeast corner of township 140 north, range 32 west; thence west on and along the north bounds of township 140, ranges 32, 33, 34, and 35 to the northwest corner of said township 140 north, range 35 west, as located on county line as between Hubbard and Becker Counties; thence south on the west boundary line of Hubbard County to the northwest corner of township 139 north, range 35 west; being also the northeast corner of township 139 north, range 36 west, as in Becker County; thence west on the north bounds of said township 139 north as said north bounds crosses ranges 36 to 43, both inclusive, to a point where said north bounds intersects with the common line as between Becker and Clay Counties; thence north on and along the west bounds of said Becker County to the north bounds thereof; thence continuing north on and

following the range line of ranges 43 and 44 west as it is located between the townships 143 to 146 north in Norman County to the north bounds of the said Norman County; thence east following and along the north bounds of Norman County to the northeast corner thereof, being also the northwest corner of Mahnomen County; thence continuing east following and on the north bounds of Mahnomen County to the northeast corner thereof; thence continuing east following and along the north bounds of township 146 north, range 38 west, in Clearwater County to the northeast corner thereof; thence south following and along the east bounds of said township to the southeast corner thereof; thence east following and along the south bounds of township 146 north, ranges 37 and 36 west, to the intersection of said south bounds with the west bounds of Beltrami County; thence continuing east following and along the common boundary line as between said Beltrami and Hubbard Counties to the place of beginning.

Approved, February 15, 1933.

February 16, 1933.
[H. R. 13770.]
47 Stat., 818.

CHAP. 93.—An Act To authorize an appropriation to carry out the provisions of the Act of May 3, 1928 (45 Stat. L. 484)

Sioux Indians.
Payment authorized to certain members against tribal funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated out of any money in the Treasury of the United States of America not otherwise appropriated, $19,357 to pay certain individual enrolled Indians under the Pine Ridge, Standing Rock, Cheyenne River, and Rosebud Sioux Agencies, in full settlement of such claims against the Government, the amounts which they have been awarded by the Secretary of the Interior under the Act of Congress of May 3, 1928 (45 Stat. 484): *Provided*, That the Secretary of the Interior is authorized and directed to determine what attorney or attorneys have rendered services of value in behalf of said Indians and to pay such attorney or attorneys on such findings when appropriation is available the reasonable value of such services, not to exceed 10 per centum of the recovery on any individual claim, which payment shall be in full settlement for all services rendered by such attorney or attorneys to said claimants.

45 Stat., 484; ante, 43.
Proviso.
Attorneys' services.

Limitation.

Approved, February 16, 1933.

February 17, 1933.
[S. 4339.]
47 Stat., 819.

CHAP 97.—An Act Repealing certain provisions of the Act of June 21, 1906, as amended, relating to the sale and encumbrance of lands of Kickapoo and affiliated Indians of Oklahoma

Kickapoo, etc., Indians of Oklahoma.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the paragraph relating to the sale and encumbrance of lands of the Kickapoo and affiliated Indians under the heading "Kickapoo" (34 Stat. L. 363) in the Act entitled "An Act making appropriations for the current and contingent expenses of the Indian Department, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1907," approved June 21, 1906, as amended, is hereby repealed.

Paragraph relating to sale, etc., of lands, repealed.
34 Stat., 363, repealed, vol. 3, 230.

Restrictions on present Indian holdings reimposed for ten years.

SEC. 2. All restrictions upon said lands, which were removed by operation of said Act are hereby reimposed for a period of ten years from the date of the approval of this Act on all of such lands as are

still held or owned by the Indians: *Provided, however*, That valid encumbrances now resting against any of said lands shall not in any manner be affected by the provisions of this Act, but any of such lands so encumbered, if still owned by the Indians, shall, when such encumbrances have been removed, become subject to the provisions of this Act as fully and to the same extent as if such lands were now unencumbered: *Provided further*, That the President may, in his discretion, in accordance with existing law, further extend the period of restriction herein provided for.

Provisos.
Valid encumbrances not affected.

Discretionary extension of period.

Approved, February 17, 1933.

CHAP. 98.—An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1934, and for other purposes

February 17, 1933.
[H. R. 13710.]
47 Stat., 820.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1934, namely:

Interior Department appropriations, fiscal year 1934.

OFFICE OF THE SECRETARY

Secretary's office.

* * * * * * *

CONTINGENT EXPENSES, DEPARTMENT OF THE INTERIOR

* * * * * * *

For the purchase or exchange of professional and scientific books, law and medical books, and books to complete broken sets, periodicals, directories, and other books of reference relating to the business of the department, $500, and in addition there is hereby made available from any appropriations made for any bureau or office of the department not to exceed the following respective sums: Indian Service, $500; Office of Education, $1,800; Bureau of Reclamation, $2,000; Geological Survey, $3,000; National Park Service, $1,500; General Land Office, $500.

Books, periodicals, etc.

Office allotments.

* * * * * * *

EXPENSES OF INDIAN COMMISSIONERS

For expenses of the Board of Indian Commissioners, $11,430, of which amount not to exceed $6,330 may be expended for personal services in the District of Columbia.

Indian Commissioners, etc.

GENERAL LAND OFFICE

General Land Office.

* * * * * * *

Opening Indian reservations (reimbursable): For expenses pertaining to the opening to entry and settlement of such Indian reservation lands as may be opened during the fiscal year 1934, $300: *Provided*, That the expenses pertaining to the opening of each of said reservations and paid for out of this appropriation shall be reimbursed to the United States from the money received from the sale of the lands embraced in said reservations, respectively.

Indian reservations.
Opening, to entry.

Proviso.
Reimbursement.

Indian Affairs Bureau.

BUREAU OF INDIAN AFFAIRS

SALARIES

Commissioner and office personnel.

For the Commissioner of Indian Affairs and other personal services in the District of Columbia, $356,000.

General expenses.

GENERAL EXPENSES

Transportation, etc.

For transportation and incidental expenses of officers and clerks of the Bureau of Indian Affairs when traveling on official duty; for telegraph and telephone toll messages on business pertaining to the Indian Service sent and received by the Bureau of Indian Affairs at Washington, and for other necessary expenses of the Indian Service for which no other appropriation is available, $20,000.

Supplies.
Purchase, transportation, etc.

For expenses necessary to the purchase of goods and supplies for the Indian Service, including inspection, pay of necessary employees, and all other expenses connected therewith, including advertising, storage, and transportation of Indian goods and supplies, $650,000: *Provided*, That no part of this appropriation shall be used in payment for any services except bill therefor is rendered within one year from the time the service is performed.

Proviso.
Limitation on payments.

Field representatives.

For salaries, traveling, and incidental expenses of field representatives of the Commissioner of Indian Affairs, $19,000.

Judges.

For pay of judges of Indian courts where tribal relations now exist, at rates to be fixed by the Commissioner of Indian Affairs, $15,000.

Police.

For pay of Indian police, including chiefs of police at not to exceed $70 per month each and privates at not to exceed $50 per month each, to be employed in maintaining order, and for purchase of equipment and supplies, $150,000.

Suppressing liquor, etc., traffic.

For the suppression of the traffic in intoxicating liquors and deleterious drugs, including peyote, among Indians, $95,300.

Agency buildings.
Lease, purchase, repairs, etc.

For lease, purchase, repair, and improvement of agency buildings, exclusive of hospital buildings, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $164,260; for construction of physical improvements, exclusive of hospitals, $55,000; in all, $219,260: *Provided*, That not more than $7,500 shall be expended for new construction at any one agency, except as follows: Northern Navajo, New Mexico, flood protection, $42,000, to be immediately available; Zuni, New Mexico, improving water supply, $8,800, to be immediately available.

Proviso.
Limitation on new construction.
Exceptions.

Vehicles.
Maintenance, etc.

Vehicles, Indian Service: Not to exceed $230,000 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for the use of employees in the Indian field service, including the transportation of Indian school pupils: *Provided*, That not to exceed $115,000 may be used for the purchase and exchange of motor-propelled passenger-carrying vehicles, and that such vehicles shall be used only for official service, including the transportation of Indian school pupils.

Transporting Indian pupils.
Proviso.
Purchases limited.

Emergency allowance by diversions from specified appropriations.

Replacement of property destroyed by fire, flood, or storm: That to meet possible emergencies not exceeding $75,000 of the appropriations made by this Act for support of reservation and nonreservation schools, for school and agency buildings, and for conservation of health among Indians shall be available, upon approval of the Secretary of the Interior, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Indian

Service above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: *Provided*, That the limitations for new construction contained in the appropriations for Indian school, agency, and hospital buildings shall not apply to such emergency expenditures: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Provisos.
Building construction limited.

Report to Congress.

Authorization for attending health and educational meetings: Not to exceed $7,000 shall be available from applicable funds for expenses (not membership fees) of employees of the Indian Service when authorized by the Secretary of the Interior to attend meetings of medical, health, educational, agricultural, forestry, engineering, and industrial associations in the interest of work among the Indians.

Attendance at meetings.

EXPENSES IN PROBATE MATTERS

Probate matters.

For the purpose of determining the heirs of deceased Indian allottees having right, title, or interest in any trust or restricted property, under regulations prescribed by the Secretary of the Interior, $60,000, reimbursable as provided by existing law, of which $12,000 shall be available for personal services in the District of Columbia: *Provided*, That the provisions of this paragraph shall not apply to the Osage Indians nor to the Five Civilized Tribes of Oklahoma.

Determining heirs of allottees.

Services in the District.
Proviso.
Tribes excepted.

For salaries and expenses of such attorneys and other employees as the Secretary of the Interior may, in his discretion, deem necessary in probate matters affecting restricted allottees or their heirs in the Five Civilized Tribes and in the several tribes of the Quapaw Agency, and for the costs and other necessary expenses incident to suits instituted or conducted by such attorneys, $30,000: *Provided*, That no part of this appropriation shall be available for the payment of (with the exception of attorneys) employees unless appointed after a competitive examination by the Civil Service Commission and from an eligible list furnished by such commission.

Five Civilized Tribes and Quapaws.
Attorneys, etc., for.

Proviso.

Restricted to civil-service eligibles.

INDIAN LANDS

Indian lands.

For the survey, resurvey, classification, and allotment of lands in severalty under the provisions of the Act entitled "An Act to provide for the allotment of lands in severalty to Indians," approved February 8, 1887 (U. S. C., title 25, sec. 331), and under any other Act or Acts providing for the survey or allotment of Indian lands, $20,000: *Provided*, That no part of said sum shall be used for the survey, resurvey, classification, or allotment of any land in severalty on the public domain to any Indian, whether of the Navajo or other tribes, within the State of New Mexico and the State of Arizona, who was not residing upon the public domain prior to June 30, 1914.

Surveying, allotting in severalty, etc.
24 Stat., 388, vol. 1, 33.
U. S. C., p. 711.

Proviso.
Use in New Mexico and Arizona limited.

For carrying out the provisions of section 13 of the Act entitled "An Act to quiet the title to lands within Pueblo Indian land grants, and for other purposes," approved June 7, 1924 (43 Stat., p. 636), $10,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1933.

Pueblo Board, expenses.
43 Stat., 640, vol. 4, 458.
47 Stat., 96; ante, 263.

For the payment of newspaper advertisements and printing locally of posters of sales of Indian lands, $500, reimbursable from payments by purchasers of costs of sale, under such rules and regulations as the Secretary of the Interior may prescribe.

Advertising land sales.

For the pay of one special attorney for the Pueblo Indians of New Mexico, to be designated by the Secretary of the Interior, and for necessary traveling expenses of said attorney, $3,440.

Pueblo Indians, N. Mex.
Attorney for.

Additional land and water rights, etc.

Purchase of land and water rights, and so forth, Pueblo Indians, New Mexico (tribal funds): For the purchase of additional land and water rights, development of water for irrigation and domestic use, purchase of equipment for industrial advancement of direct benefit to the several pueblos involved, as follows:

Payment to designated pueblos.

Cochiti, $10,630.56; Nambe, $24,767.03; Pecos, $28,145; Picuris, $52,574.09; Sandia, $3,823.35; San Felipe, $9,805.53; San Ildefonso, $22,627.91; San Juan, $4,485.54; Santa Ana, $3,695.69; Santa Clara, $112,976.74; Santo Domingo, $13,911; Taos, $27,631.85; Tesuque, $426.23; in all, $315,500.52, payable from funds held in trust by the United States for said pueblos: *Provided*, That the unexpended balances of appropriations heretofore made, from the trust funds of the several pueblos, for the purchase of land and water rights, and fencing, irrigating, and improving lands, are hereby continued available for the same purposes until June 30, 1934.

Payable from trust funds.
Proviso.
Balance available.
47 Stat., 96; ante, 263.

Navajo Indians.
Additional land and water rights.

Purchase of land for Navajo Indians (tribal funds): For purchase, or lease pending purchase, of additional land and water rights for the use and benefit of Indians of the Navajo Tribe as authorized to be acquired by the Act of May 29, 1928 (45 Stat., p. 899), the unexpended balances of the appropriations available for this purpose for the fiscal year 1933 are hereby continued available for the same purpose and subject to the same conditions and provisions until June 30, 1934: *Provided*, That title to all such lands so purchased shall be taken in the name of the United States in trust for the Navajo Tribe, and in purchasing such lands title may be taken, in the discretion of the Secretary of the Interior, for the surface only.

45 Stat., 899, 1569; ante, 59, 99.
Balance available.
47 Stat., 96; ante, 263.
Proviso.
Title for surface only.

Loyal Shawnee Indians, Okla.
Paying award to, under treaty obligations.
15 Stat., 516, vol. 2, 962; 45 Stat., 1550; ante, 92.
46 Stat., 105; ante, 137.

The unexpended balance of the appropriation of $109,746.25 contained in the First Deficiency Act, fiscal year 1930, for payment to the loyal Shawnee Indians in settlement of their claim arising under the twelfth article of the treaty with said Indians proclaimed October 14, 1868 (15 Stat., p. 513), as authorized by and in accordance with the Act of March 4, 1929, and continued available until June 30, 1933, is hereby continued available until June 30, 1934.

Kiowas, etc., Okla.
Payment to, from royalty funds.

Payment to Kiowa, Comanche, and Apache Indians, Oklahoma (tribal funds): For payment to the Kiowa, Comanche, and Apache Indians, of Oklahoma, under such rules and regulations as the Secretary of the Interior may prescribe, $75,000, from the tribal trust fund established by joint resolution of Congress, approved June 12, 1926 (44 Stat., p. 740), being a part of the Indians' share of the money derived from the south half of the Red River in Oklahoma: *Provided*, That said sum herein made available shall be paid out in two equal installments—one during the month of October and one during the month of March.

44 Stat., 740, vol. 4, 558.
Proviso.
Payable in two installments.

Industrial assistance and advancement.

INDUSTRIAL ASSISTANCE AND ADVANCEMENT

Timber preservation, etc.

For the preservation of timber on Indian reservations and allotments other than the Menominee Indian Reservation in Wisconsin, the education of Indians in the proper care of forests, and the general administration of forestry and grazing work, including fire prevention and payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires in contravention of law on Indian lands, $197,000: *Provided*, That this appropriation shall be available for the expenses of administartion of Indian forest lands from which timber is sold to the extent only that proceeds from the sales of timber from such lands are insufficient for that purpose.

Proviso.
Administration of forest lands, from timber sales, etc.

For expenses incidental to the sale of timber, and for the expenses of administration, including fire prevention, of Indian forest lands from which such timber is sold to the extent that the proceeds of such sales are sufficient for that purpose, $103,521.67, reimbursable to the United States as provided in the Act of February 14, 1920 (U. S. C., title 25, sec. 413): *Provided*, That this appropriation shall be available for the payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires in contravention of law.

Timber sales, etc., expenses.

Reimbursable.
41 Stat., 415, vol. 4, 238.
U. S. C., p. 720.
Proviso.
Rewards for information.

Insect control work, Klamath Indian Reservation, Oregon (tribal funds): For continuation of forest insect control work on the Klamath Indian Reservation in Oregon, $20,000, payable from funds on deposit in the Treasury to the credit of the Klamath Indians.

Klamath Reservation, Oreg.
Forest insect control.

For the suppression or emergency prevention of forest fires on or threatening Indian reservations, $40,000, together with $25,000 from funds held by the United States in trust for the respective tribes of Indians interested: *Provided*, That not to exceed $50,000 of appropriations herein made for timber operations and for support and administration purposes may be transferred, upon the approval of the Secretary of the Interior, for fire suppression or emergency prevention purposes, and allotments of funds so transferred shall be made by the Secretary of the Interior only after the obligation for the expenditure has been incurred: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Emergency forest-fire suppression.

Provisos.
Additional sums available.

Limitation.

Report to Congress.

For transfer to the Geological Survey for expenditures to be made in inspecting mines and examining mineral deposits on Indian lands and in supervising mining operations on restricted, tribal, and allotted Indian lands leased under the provisions of the Acts of February 28, 1891 (26 Stat., p. 795), May 27, 1908 (35 Stat., p. 312), March 3, 1909 (U. S. C., title 25, sec. 396), and other Acts authorizing the leasing of such lands for mining purposes, $60,000.

Geological Survey.

Supervising mining operation.

26 Stat., 795, vol. 1, 57; 35 Stat., 312, 444, 783, vol. 3, 351, 444, 683.
U. S. C., p. 717.

For the purpose of obtaining remunerative employment for Indians, $21,160, and $30,000 of the unexpended balance for this purpose for the fiscal year 1933 is continued available for the same purpose for the fiscal year 1934.

Employment for Indians.
Balance available.
47 Stat., 98; ante, 265.

For the purpose of developing agriculture and stock raising among the Indians, including necessary personnel, traveling and other expenses, and purchase of supplies and equipment, $355,000, of which not to exceed $15,000 may be used to conduct agricultural experiments and demonstrations on Indian school or agency farms and to maintain a supply of suitable plants or seed for issue to Indians.

Developing agriculture and stock raising.

Agricultural experiments on farms.

For the purpose of encouraging industry and self-support among the Indians and to aid them in the culture of fruits, grains, and other crops, $449,200, which sum may be used for the purchase of seeds, animals, machinery, tools, implements, and other equipment necessary, and for advances to Indians having irrigable allotments to assist them in the development and cultivation thereof, in the discretion of the Secretary of the Interior, to enable Indians to become self-supporting: *Provided*, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1939, except in the case of loans on irrigable lands for permanent improvement of said lands, in which the period for repayment may run for not exceeding twenty years, in the discretion of the Secretary of the Interior: *Provided further*, That $150,000 shall be

Encouraging industry, etc., among Indians.

Provisos.
Repayment.

Pima Indians, Ariz.

immediately available for expenditures for the benefit of the Pima Indians, and not to exceed $25,000 of the amount herein appropriated shall be expended on any other one reservation or for the benefit of any other one tribe of Indians: *Provided further*, That no part of this appropriation shall be used for the purchase of tribal herds: *Provided further*, That the Secretary of the Interior is hereby authorized, in his discretion and under such rules and regulations as he may prescribe, to make advances from this appropriation to old, disabled, or indigent Indian allottees, for their support, to remain a charge and lien against their lands until paid: *Provided further*, That advances may be made to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe.

Purchase of tribal herds.

Advances to old, etc., allottees.

Education of Indian youths.

Repayment.

Industrial assistance. Construction of homes, purchase of equipment, etc.

Industrial assistance (tribal funds): For the construction of homes for individual members of the tribes; the purchase for sale to them of seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support, and Indians having irrigable allotments to assist them in the development and cultivation thereof, the unexpended balances of the appropriations under this head contained in the Interior Department Appropriation Act for the fiscal year 1933, and the Act of June 27, 1932 (47 Stat., p. 335), are hereby continued available during the fiscal year 1934 together with the following amounts payable from tribal funds on deposit in the Treasury: San Carlos, Arizona, $50,000; Kiowa, Comanche, and Apache, Oklahoma, $75,000; Klamath, Oregon, $3,000; Truxton Canyon, Arizona, $15,000; in all $143,000: *Provided*, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1939, except in the case of loans on irrigable lands for permanent improvement of said lands in which the period for repayment may run for not exceeding twenty years, in the discretion of the Secretary of the Interior, and advances to old, disabled, or indigent Indians for their support, which shall remain a charge and lien against their land until paid: *Provided further*, That advances may be made to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That all moneys reimbursed during the fiscal year 1934 shall be credited to the respective appropriations and be available for the purposes of this paragraph.

Advances to old, etc., Indians.

Balances available. 47 Stat., 98, 335; ante, 265, 288.

From tribal funds.

Provisos. Conditions for repayment.

Loans on irrigable lands.

Reimbursement of advances to youths for educational courses.

Credits and availability.

Livestock infected with dourine. Reimbursement for animals destroyed.

For reimbursing Indians for livestock destroyed on account of being infected with dourine, and for expenses in connection with the work of eradicating and preventing dourine in livestock of Indians, to be expended under such rules and regulations as the Secretary of the Interior may prescribe, $3,000.

Scabies in sheep and goats. Eradication, etc.

For assisting Indians in the eradication of scabies in their sheep and goats, $5,000, which amount may be transferred by the Secretary of the Interior, with the approval of the Secretary of Agriculture, to the Bureau of Animal Industry for direct expenditure.

DEVELOPMENT OF WATER SUPPLY

Water supply.

Developing water supply: For improving springs, drilling wells, and otherwise developing and conserving water for Indian use, including the purchase, construction, and installation of pumping machinery, tanks, troughs, and other necessary equipment, for operation and maintenance thereof, and for necessary investigations and surveys for the purpose of increasing the available grazing range on unallotted lands on Indian reservations; for the Navajo and Hopi Indians in Arizona and New Mexico, the Papago Indians in Arizona, and the Pueblo Indian lands in New Mexico, $87,300.

Developing, conserving, etc.

Increasing grazing range.

Water supply for Indian use and increasing grazing range on unallotted Indian land (tribal funds): For improving springs, drilling wells, and otherwise developing and conserving water for Indian use, including the purchase, construction, and installation of pumping machinery, tanks, troughs, and other necessary equipment, for operation and maintenance thereof, and for necessary investigations and surveys for the purpose of increasing the available grazing range on unallotted lands on Indian reservations: For the Mescalero Reservation, New Mexico, $5,000; for the Ute Mountain Reservation, Colorado, $3,000; for the Jicarilla Reservation, New Mexico, $6,000; for the Truxton Canyon Reservation, Arizona, $3,000; in all, $17,000; to be paid from funds held in trust for said tribes of Indians, respectively, by the United States.

Improving, from tribal funds.

Reservations designated.

From tribal funds.

IRRIGATION AND DRAINAGE

Irrigation and drainage.

For the construction, repair, and maintenance of irrigation systems, and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian reservations and allotments; for operation of irrigation systems or appurtenances thereto when no other funds are applicable or available for the purpose; for drainage and protection of irrigable lands from damage by floods or loss of water rights, upon the Indian irrigation projects named below, in not to exceed the following amounts, respectively:

Construction, maintenance, etc.

Miscellaneous projects, $13,000; Arizona: Ak Chin, $5,700; Chiu Chui, $3,800; Navajo and Hopi, miscellaneous projects, Arizona and New Mexico, $7,500; Camp McDowell, $5,000; California: Coachella Valley, $1,925; Morongo, $3,200; Pala and Rincon, $1,950; Colorado: Southern Ute, $15,250; Nevada: Walker River, $8,750; Western Shoshone, $5,000; New Mexico: Miscellaneous pueblos, $4,900; Zuni, $9,500; Washington: Colville, $4,100;

Allotments.

For necessary miscellaneous expenses incident to the general administration of Indian irrigation projects, including pay of employees and their traveling and incidental expenses, $76,225;

Administration.
Traveling, etc., expenses.

In all, for irrigation on Indian reservations, not to exceed $161,500, reimbursable: *Provided*, That no part of this appropriation shall be expended on any irrigation system or reclamation project for which public funds are or may be otherwise available: *Provided further*, That the foregoing amounts appropriated for such purposes shall be available interchangeably, in the discretion of the Secretary of the Interior, for the necessary expenditures for damages by floods and other unforeseen exigencies, but the amount so interchanged shall not exceed in the aggregate 10 per centum of all the amounts

Reimbursable.

Provisos.
Use restricted.

Flood damage, etc. expenses interchangeable.

Limitation.

Apportionment of costs on per acre basis.

so appropriated: *Provided further*, That the cost of irrigation projects and of operating and maintaining such projects where reimbursement thereof is required by law shall be apportioned on a per acre basis against the lands under the respective projects and shall be collected by the Secretary of the Interior as required by such law, and any unpaid charges outstanding against such lands shall constitute a first lien thereon which shall be recited in any patent or instrument issued for such lands.

Unpaid charges a first lien on property.

San Carlos project, Ariz.
Operation, etc.

For operation and maintenance, of the San Carlos project for the irrigation of lands in the Gila River Indian Reservation, and in the Casa Grande Valley, Arizona, including not more than $5,000 for crop and improvement damages and not more than $5,000 for purchases of rights of way, $143,500; for continuing construction, $77,100, including $54,000 for purchase or construction of transmission and distribution lines; in all, $220,600, reimbursable.

Colorado River Reservation, Ariz.
Improvement, etc.
36 Stat., 273, vol. 3, 432.

For improvement, operation, and maintenance of the pumping plants and irrigation system on the Colorado River Indian Reservation, Arizona, as provided in the Act of April 4, 1910 (36 Stat., p. 273), $12,010, reimbursable.

Ganado project, Ariz.
Operation, etc.

For operation and maintenance of the Ganado irrigation project, Arizona, reimbursable, $1,830.

San Carlos Reservation, Ariz.
Irrigating tribal lands.

Operation and maintenance, pumping plants, San Carlos Reservation, Arizona (tribal funds): For the operation and maintenance of pumping plants for the irrigation of lands on the San Carlos Reservation in Arizona, $4,830, to be paid from the funds held by the United States in trust for the Indians of such reservation: *Provided*, That the sum so used shall be reimbursed to the tribe by the Indians benefited, under such rules and regulations as the Secretary of the Interior may prescribe.

Proviso.
Reimbursable.

Yuma Reservation, Ariz.-Calif.
Reclamation, etc. charges.

For reclamation and maintenance charges on Indian lands within the Yuma Reservation, California, and on ten acres within each of the eleven Yuma homestead entries in Arizona under the Yuma reclamation project, $19,500, reimbursable.

Fort Hall project, Idaho.
Operation, etc.

For improvements, maintenance, and operation of the Fort Hall irrigation system, Idaho, $27,200.

Damage claims.
46 Stat., 1061; ante, 185.
Balance available.
47 Stat., 100; ante, 264.

For improvements to the Fort Hall irrigation project, Idaho, including payment of damage claims and purchase of rights of way, as authorized by and in accordance with the provisions of the Act of February 4, 1931 (46 Stat., p. 1061), the unexpended balance of the appropriation for this purpose contained in the Interior Department Appropriation Act for the fiscal year 1933 is continued available until June 30, 1934: *Provided*, That no part of this appropriation shall be available for expenditure until repayment contracts shall have been entered into in accordance with the provisions of the Act of February 4, 1931: *Provided further*, That no part of this appropriation shall be available for the extension of canals or ditches in connection with the Michaud Division.

Provisos.
Repayment.
46 Stat., 1062; ante, 186.

Michaud Division extension, excluded.

Kootenai Indians, Idaho.
Drainage, etc.
45 Stat. 938; ante, 62. 46 Stat., 1127; ante, 210.

For the purpose of carrying out the provisions of the Act approved May 29, 1928 (45 Stat., p. 938), to provide reclamation of Kootenai Indian allotments in Idaho within the exterior boundaries of drainage districts that may be benefited by drainage works of such districts, the unexpended balance of the appropriation of $114,000 contained in the Act of March 4, 1929 (45 Stat., p. 1574), and continued available until June 30, 1933, is hereby continued available until June 30, 1934.

Fund available.
45 Stat., 1574; ante, 107.

Fort Belknap Reservation, Mont.
Maintenance, etc.

For maintenance and operation, repairs, purchase of stored waters, and continuation of construction of the irrigation systems on the Fort Belknap Reservation, in Montana, $21,200, reimbursable.

For maintenance and operation of the Little Porcupine Division, the Big Porcupine Division, and not exceeding four thousand acres under the West Side Canal of the Poplar River Division, Fort Peck project, Montana, $5,650, reimbursable.

Fort Peck Reservation, Mont.
Maintenance, etc., of projects.

For operation and maintenance of the irrigation systems on the Flathead Indian Reservation, Montana, $12,000; for completing Pablo Reservoir enlargement, $35,000, to be immediately available; enlargement and improvement of Tabor feed canal, $22,000; construction of Alder Creek and Lost Creek feed canals, $12,000; purchase of water rights, Mission Creek, $6,200; continuing construction of power distributing system, $50,000; lateral systems betterment, $20,000; miscellaneous engineering, surveys, and examinations, $5,000; in all, not to exceed $152,000, reimbursable: *Provided*, That the unexpended balance of the appropriation of $55,000 contained in the Interior Department Appropriation Act, fiscal year 1932 (46 Stat., p. 1127), for purchase of sites for reservoirs, construction headquarters and administrative uses, is hereby made available for the same purpose until June 30, 1934: *Provided further*, That (with the consent of the irrigation districts on the Flathead irrigation project which have executed repayment contracts with the United States as required by law) the Secretary of the Interior may modify the terms of such contracts by requiring the operation and maintenance charges (not heretofore carried into construction costs and dealt with in the Act of March 7, 1928 (45 Stat., pp. 212–213)) to be paid over the same period of years and in like manner as the construction costs are to be paid under the terms of the public notice issued by such Secretary on November 1, 1930, as amended April 20, 1931: *Provided further*, That the first installment of such operation and maintenance charges shall be due and payable on the same date as the first installment of construction charges is due and payable, where modifications of the contracts are made pursuant hereto.

Flathead Reservation, Mont.
Maintenance, etc.
Construction of designated projects.

Provisos.
Balance for reservoir sites etc., continued available.
46 Stat., 1127; ante, 210.

Operation and maintenance charges.
45 Stat., 212; ante, 18.

Payment of first installment.

For improvement, maintenance, and operation of the irrigation systems, Blackfeet Reservation, Montana, $28,120 (reimbursable).

Blackfeet Reservation, Mont.
Maintenance, etc.

For improvement, maintenance, and operation of the irrigation systems on the Crow Reservation, Montana, including maintenance assessments payable to the Two Leggins Water Users' Association and Bozeman Trail Ditch Company, Montana, properly assessable against lands allotted to the Indians irrigable thereunder, $17,880, reimbursable.

Crow Reservation, Mont.
Operating systems.

Reimbursement.

For operation and maintenance of the irrigation system on the Pyramid Lake Reservation, Nevada, $3,750, reimbursable.

Pyramid Lake Reservation, Nev.
Operation, etc.

For payment of annual installment of reclamation charges against Paiute Indian lands within the Newlands reclamation project, Nevada, $5,381; and for payment in advance, as provided by district law, of operation and maintenance assessments, including assessments for the operation of drains to the Truckee-Carson irrigation district, which district, under contract, is operating the Newlands reclamation project, $10,443, to be immediately available; in all, $15,824.

Newlands projects, Nev.
Paying charges against Paiute lands.

For improvement, operation, and maintenance of the irrigation system for the Laguna and Acoma Indians in New Mexico, $15,770, reimbursable.

Laguna and Acoma Indians, N. Mex.
Maintenance, etc.

For improvement, operation, and maintenance of the Hogback irrigation project on that part of the Navajo Reservation in New Mexico under the jurisdiction of the Northern Navajo Agency, $11,350, reimbursable.

Hogback project, N. Mex.
Maintenance, etc.

For repair of damage to irrigation systems resulting from flood and for flood protection of irrigable lands on the several pueblos in New Mexico, $4,850.

Flood damages, New Mexico pueblos.

Middle Rio Grande Conservancy District, N. Mex., expenses.

For salaries and all other expenses of the Government engineer and assistants appointed in pursuance to contract executed December 14, 1928, by the Secretary of the Interior with the Middle Rio Grande Conservancy District, $4,480, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1933.

Balance available.
47 Stat., 102; ante, 266.

Klamath Reservation, Oreg.
Maintenance of projects, from tribal funds.

Irrigation systems, Klamath Reservation, Oregon (tribal funds): For improvements, maintenance, and operation of miscellaneous irrigation projects on the Klamath Reservation, $2,750, to be paid from the funds held by the United States in trust for the Klamath Indians in the State of Oregon, said sum, or such part thereof as may be used, to be reimbursed to the tribe under such rules and regulations as the Secretary of the Interior may prescribe.

Repayment.

Uintah Reservation, Utah.
Maintenance, etc.
34 Stat. 375, vol. 3, 242.

Irrigation system, Uintah Reservation, Utah (tribal funds): For continuing operation and maintenance and betterment of the irrigation system to irrigate allotted lands of the Uncompahgre, Uintah, and White River Utes in Utah, authorized under the Act of June 21, 1906 (34 Stat., p. 375), $22,370, to be paid from tribal funds held by the United States in trust for said Indians, said sum to be reimbursed to the tribal fund by the individuals benefited under such rules and regulations as may be prescribed by the Secretary of the Interior.

From tribal funds.

Yakima Reservation, Wash.
Toppenish - Simcoe unit.

For operation and maintenance, including repairs, of the Toppenish-Simcoe irrigation unit, on the Yakima Reservation, Washington, reimbursable, $900.

Wapato project.
Construction.
38 Stat., 604, vol. 4, 30.

For continuing construction of the Wapato irrigation and drainage system, for the utilization of the water supply provided by the Act of August 1, 1914 (38 Stat., p. 604), $76,500, reimbursable.

Yakima Reservation, Wash.
Water payments.
38 Stat., 604, vol. 4, 29.

For reimbursement to the reclamation fund the proportionate expense of operation and maintenance of the reservoirs for furnishing stored water to the lands in Yakima Indian Reservation, Washington, in accordance with the provisions of section 22 of the Act of August 1, 1914 (38 Stat., p. 604), $11,000.

Lummi diking project, Wash.
Flood damage repairs.

For repairing flood damage, Lummi diking project, Washington, $8,000, to be immediately available and reimbursable.

Wind River Reservation, Wyo.
Extension of irrigation to additional lands.

For the extension of canals and laterals on the ceded portion of the Wind River Reservation, Wyoming, to provide for the irrigation of additional Indian lands, and for the Indians' pro rata share of the cost of the operation and maintenance of canals and laterals and for the Indians' pro rata share of the cost of the Big Bend drainage project on the ceded portion of that reservation, and for continuing the work of constructing an irrigation system within the diminished reservation, including the Big Wind River and Dry Creek Canals, and including the maintenance and operation of completed canals, $45,000, reimbursable.

Big Bend project.

Big Wind River and Dry Creek Canals.

Expenditure under direction of Commissioner of Indian Affairs.

Appropriations herein for irrigation and drainage of Indian lands shall be available only for expenditure by and under the direction of the Commissioner of Indian Affairs, except for such engineering and economic studies and construction work as the Secretary of the Interior decides may be more advantageously performed by the Bureau of Reclamation.

Education.

EDUCATION

Support of schools.

For the support of Indian schools not otherwise provided for, and other educational and industrial purposes in connection therewith, including tuition for Indian pupils attending public schools, $3,590,800: *Provided*, That not to exceed $15,000 of this appropriation may be used for the support and education of deaf and dumb or blind, physically handicapped, or mentally deficient Indian children: *Provided further*, That $4,500 of this appropriation may be used for the

Provisos.
Deaf and dumb, or blind.

Alabamas and Coushattas.

education and civilization of the Alabama and Coushatta Indians in Texas: *Provided further*, That not more than $10,000 of the amount herein appropriated may be expended for the tuition of Indian pupils attending higher educational institutions, under such rules and regulations as the Secretary of the Interior may prescribe, but formal contracts shall not be required, for compliance with section 3744 of the Revised Statutes (U. S. C., title 41, sec. 16), for payment of tuition of Indian pupils attending public schools, higher educational institutions, or schools for the deaf and dumb, blind, physically handicapped, or mentally deficient: *And provided further*, That not to exceed $10,000 of the amount herein appropriated shall be available for educating Indian youth in stock raising at the United States Range Livestock Experiment Station at Miles City, Montana.

Tuition of Indian children in public schools.

No formal contracts.
R. S. sec. 3744, p. 738.
U. S. C., p. 1310.

Education in stock raising.

Support of Indian schools from tribal funds: For the support of Indian schools, and other educational and industrial purposes in connection therewith, other than among the Five Civilized Tribes, there shall be expended from Indian tribal funds and from school revenues arising under the Act of May 17, 1926 (U. S. C., Supp. V, title 25, sec. 155a), not more than $618,100, including not to exceed $95,000 from trust funds of the Red Lake Indians for support of schools on the Red Lake Reservation: *Provided*, That not more than $7,500 of the above authorization of $618,100 shall be expended for new construction at any one school unless herein expressly authorized; for tuition and other educational purposes in the Choctaw Nation, $40,000; for payment of tuition for Chippewa Indian children enrolled in the public schools of the State of Minnesota, $48,000, payable from the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota arising under section 7 of the Act of January 14, 1889 (25 Stat., p. 645); in all, $706,100.

Support of schools from tribal funds.
44 Stat., 560, vol. 4, 548.
U. S. C., Supp. VI, p. 380.
Red Lake, Minn., school.

Proviso.
New construction limited.

Five Civilized Tribes.

25 Stat., 645, vol. 1, 305.

Education, Osage Nation, Oklahoma (tribal funds): For the education of unallotted Osage Indian children in the Saint Louis Mission Boarding School, Oklahoma, $2,500, payable from funds held in trust by the United States for the Osage Tribe.

Saint Louis Boarding School Okla.
Education of Osage children.

For subsistence of pupils retained in Government boarding schools of all classes during summer months, $90,000.

Summer schools.
Subsistence, etc.

For collection and transportation of pupils to and from Indian and public schools, and for placing school pupils, with the consent of their parents, under the care and control of white families qualified to give them moral, industrial, and educational training, $95,000.

School transportation, etc.

For lease, purchase, repair, and improvement of buildings at Indian schools not otherwise provided for, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $272,600, for construction of physical improvements, $192,000, to be immediately available; in all, $464,600: *Provided*, That not more than $7,500 out of this appropriation shall be expended for new construction at any one school or institution except for new construction authorized as follows: New Mexico: Northern Navajo, construction of heating and power systems, $57,000; North Dakota: Turtle Mountain, improvement of water supply and sewer system, $17,000; South Dakota: Pine Ridge, central heating plant, $38,000.

School buildings.
Lease, repair, construction, etc.

Proviso.
New construction limited.
Exceptions.

For flood protection and drainage, Leupp Indian School and Agency, Arizona, $29,500, to be immediately available.

Leupp School and Agency, Ariz.
Flood protection, etc.

For support and education of Indian pupils at the following nonreservation boarding schools in not to exceed the following amounts, respectively:

Support, etc., and designated boarding schools.

Phoenix Ariz.

Phoenix, Arizona: For seven hundred and twenty-five pupils, including not to exceed $1,500 for printing and issuing school paper, $226,860; for pay of superintendent, drayage, and general repairs and improvements, $27,620; in all, $254,480;

Truxton Canyon, Ariz.

Truxton Canyon, Arizona: For two hundred and fifteen pupils, $62,380; for pay of superintendent, drayage, and general repairs and improvements, $9,735; for employees' quarters, $3,000; in all, $75,115;

Theodore Roosevelt, Fort Apache, Ariz.

Theodore Roosevelt Indian School, Fort Apache, Arizona: Four hundred pupils, $115,930; for pay of superintendent, drayage, and general repairs and improvements, $22,750; in all, $138,680;

Sherman Institute, Riverside, Calif.

Sherman Institute, Riverside, California: For eight hundred pupils, including not to exceed $1,000 for printing and issuing school paper, $251,285; for pay of superintendent, drayage, and general repairs and improvements, $19,615; in all, $270,900;

Haskell Institute Lawrence, Kans.

Haskell Institute, Lawrence, Kansas: For nine hundred pupils, including not to exceed $2,500 for printing and issuing school paper, $282,885; for pay of superintendent, drayage, and general repairs and improvements, including necessary drainage work, $29,615; in all, $312,500: *Provided*, That the unexpended balance of the appropriation contained in the Interior Department Appropriation Act, fiscal year 1933, for shop building, including equipment, is hereby continued available until June 30, 1934;

Proviso.
Balance for shop building continued available.
47 Stat., 105; ante, 268.

Mount Pleasant, Mich.

Mount Pleasant, Michigan: For three hundred and twenty-five pupils, $97,850; for pay of superintendent, drayage, and general repairs and improvements, $13,750; in all, $111,600;

Pipestone, Minn.

Pipestone, Minnesota: For three hundred and twenty-five pupils, $97,440; for pay of superintendent, drayage, and general repairs and improvements, $17,740; for septic tank and sewer system, $13,500, to be immediately available; in all, $128,680: *Provided*, That the unexpended balance of the appropriation contained in the Second Deficiency Act, fiscal year 1932, for new school building and auditorium, including equipment, is hereby continued available for the same purpose until June 30, 1934;

Proviso.
Balance for school building available.
47 Stat., 534; ante, 293.

Genoa, Nebr.

Genoa, Nebraska: For four hundred pupils, including not more than $400 for printing and issuing school paper, $124,600; for pay of superintendent, drayage, and general repairs and improvements, $17,650; in all, $142,250;

Carson City, Nev.

Carson City, Nevada: For five hundred and twenty-five pupils, $148,110; for pay of superintendent, drayage, and general repairs and improvements, $14,690; in all, $162,800;

Albuquerque, N. Mex.

Albuquerque, New Mexico: For eight hundred pupils, $253,885; for pay of superintendent, drayage, and general repairs and improvements, $24,615; in all, $278,500;

Santa Fe, N. Mex.

Santa Fe, New Mexico: For five hundred and twenty-five pupils, $159,085; for pay of superintendent, drayage, and general repairs and improvements, $14,615; in all, $173,700;

Charles H. Burke, Fort Wingate, N. Mex.

Charles H. Burke School, Fort Wingate, New Mexico: For six hundred pupils, $177,515; for pay of superintendent, drayage, and general repairs and improvements, $19,685; in all, $197,200;

Bismarck, N. Dak.

Bismarck, North Dakota: For one hundred pupils, $33,450; for pay of superintendent, drayage, and general repairs and improvements, $6,750; in all, $40,200;

Wahpeton, N. Dak.

Wahpeton, North Dakota: For three hundred and fifty pupils, $104,250; for pay of superintendent, drayage, and general repairs and improvements, $11,750; in all, $116,000: *Provided*, That the unexpended balance of the appropriation contained in the Interior Department Appropriation Act, fiscal year 1933, for central heating

Proviso.
Balance for heating plant available.
47 Stat., 106; ante, 269.

plant, is hereby continued available for the same purpose until June 30, 1934;

Chilocco, Oklahoma: For eight hundred and fifty pupils, including not to exceed $2,000 for printing and issuing school paper, $268,850; for pay of superintendent, drayage, and general repairs and improvements, $29,650; for improving heating system, $12,500; in all, $311,000; Chilocco, Okla.

Sequoyah Orphan Training School, near Tahlequah, Oklahoma: For three hundred and fifty orphan Indian children of the State of Oklahoma belonging to the restricted class, to be conducted as an industrial school under the direction of the Secretary of the Interior, $105,420; for pay of superintendent, drayage, and general repairs and improvements, $11,750; in all, $117,170; Sequoyah Orphan Training School, Okla.

Carter Seminary, Oklahoma: For one hundred and sixty-five pupils, $53,365; for pay of superintendent, drayage, and general repairs and improvements, $5,785; in all, $59,150; Carter Seminary, Okla.

Euchee, Oklahoma: For one hundred and fifteen pupils, $36,880; for pay of superintendent, drayage, and general repairs and improvements, $6,790; in all, $43,670; Euchee, Okla.

Eufaula, Oklahoma: For one hundred and thirty-five pupils, $43,185; for pay of superintendent, drayage, and general repairs and improvements, $6,785; in all, $49,970; Eufaula, Okla.

Jones Academy, Oklahoma: For one hundred and seventy-five pupils, $56,945; for pay of superintendent, drayage, and general repairs and improvements, $6,775; for improvement of water supply, $7,000; in all $70,720; Jones Academy, Okla.

Wheelock Academy, Oklahoma: For one hundred and thirty pupils, $41,600; for pay of superintendent, drayage, and general repairs and improvements, $6,790; for improvement of water supply, $7,000; in all, $55,390; Wheelock Academy, Okla.

Chemawa, Salem, Oregon: For six hundred and fifty pupils, including not to exceed $1,000 for printing and issuing school paper, $204,785; for pay of superintendent, drayage, and general repairs and improvements, $19,615; in all, $224,400; Chemawa, Salem, Oreg.

Flandreau, South Dakota: For four hundred and fifty pupils, $147,835; for pay of superintendent, drayage, and general repairs and improvements, $16,615; for repairs to heating system, $23,000; in all, $187,450; Flandreau, S. Dak.

Pierre, South Dakota: For three hundred and twenty-five pupils, $97,305; for pay of superintendents, drayage, and general repairs and improvements, $14,615; for power house, $10,000; in all, $121,920; Pierre, S. Dak.

Rapid City, South Dakota: For two hundred and seventy-five pupils, $84,760; for pay of superintendent, drayage, and general repairs and improvements, $14,710; in all, $99,470; Rapid City, S. Dak.

Tomah, Wisconsin: For three hundred and twenty-five pupils, $96,485; for pay of superintendent, drayage, and general repairs and improvements, $17,735; in all, $114,220; Tomah, Wis.

In all, for above-named nonreservation boarding schools, not to exceed $3,755,000: *Provided*, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures for similar purposes in the various boarding schools named, but not more than 10 per centum shall be added to the amount appropriated for any one of said boarding schools or for any particular item within any boarding school. Any such interchanges shall be reported to Congress in the annual Budget. Nonreservation boarding schools. *Proviso.* Sums interchangeable. Report to Congress.

For aid to the common schools in the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Nations and the Quapaw Agency in Oklahoma, $387,680, to be expended in the discretion of the Secretary of Five Civilized Tribes, Okla. Common schools.

the Interior and under rules and regulations to be prescribed by him: *Provided*, That this appropriation shall not be subject to the limitation in section 1 of the Act of May 25, 1918 (U. S. C., title 25, sec. 297), limiting the expenditure of money to educate children of less than one-fourth Indian blood: *Provided further*, That of this appropriation not to exceed $2,500 may be expended in the printing and issuance of a paper devoted to Indian education, which paper shall be printed at an Indian school, not to exceed $10,000 may be expended under rules and regulations of the Secretary of the Interior, in part payment of truancy officers in any county or two or more contiguous counties where there are five hundred or more Indian children eligible to attend school and not to exceed $10,000 may be expended in the discretion of the Secretary of the Interior for the payment of salaries of public-school teachers employed by the State or county in special Indian day schools in full blood Indian communities where there are not adequate white day schools available for their attendance.

Provisos.
Parentage limitation not applicable.
40 Stat., 564, vol. 4, 149.
U. S. C., p. 708.
Printing, etc., school papers.

Truancy officers.

Sioux Indians, S. Dak.
Day and industrial schools.

For support and maintenance of day and industrial schools among the Sioux Indians, including the erection and repairs of school buildings, in accordance with the provisions of article 5 of the agreement made and entered into September 26, 1876, and ratified February 28, 1877 (19 Stat., p. 254), $373,650.

19 Stat., 256, vol. 1, 170.

Alaska natives.

Natives in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for support and education of the Eskimos, Aleuts, Indians, and other natives of Alaska, including necessary traveling expenses of pupils to and from industrial boarding schools in Alaska; erection, purchase, repair, and rental of school buildings, including purchase of necessary lands; textbooks and industrial apparatus; pay and necessary traveling expenses of superintendents, teachers, physicians, and other employees; repair, equipment, maintenance, and operation of vessels; and all other necessary miscellaneous expenses which are not included under the above special heads, including $300,000 for salaries in the District of Columbia and elsewhere, $17,500 for traveling expenses, $179,500 for equipment, supplies, fuel, and light, $23,000 for repairs of buildings, $15,000 for purchase or erection of buildings, $62,000 for freight and operation and repair of vessels, $1,000 for rentals, and $2,000 for telephone and telegraph; total, $600,000, to be immediately available: *Provided*, That not to exceed 10 per centum of the amounts appropriated for the various items in this paragraph shall be available interchangeably for expenditures on the objects included in this paragraph, but not more than 10 per centum shall be added to any one item of appropriation except in cases of extraordinary emergency and then only upon the written order of the Secretary of the Interior: *Provided further*, That of said sum not exceeding $5,800 may be expended for personal services in the District of Columbia.

Services in the District.
Specific allotments.

Provisos.
Interchangeable sums.

Services in the District.

CONSERVATION OF HEALTH

Conservation of health.

Expenses designated.

For conservation of health among Indians including equipment, materials, and supplies; repairs and improvements to buildings and plants; compensation and traveling expenses of officers and employees and renting of quarters for them when necessary; transportation of patients and attendants to and from hospitals and sanatoria; returning to their former homes and interring the remains of deceased patients; and not exceeding $1,000 for printing and binding circulars and pamphlets for use in preventing and suppressing trachoma and other contagious and infectious diseases, $2,996,200, including not to exceed the sum of $2,251,610 for the following-named hospitals and sanatoria:

Suppressing trachoma.
Allotments for specified hospitals and sanatoria.

Arizona: Indian Oasis Hospital, $22,100; Kayenta Sanatorium, $43,200; Fort Defiance Sanatorium and Southern Navajo General Hospital, $102100; Phoenix Sanatorium, $71,200; Pima Hospital, $26,000; Truxton Canyon Hospital, $11,250; Western Navajo Hospital, $33,950; Chin Lee Hospital, $10,450; Fort Apache Hospital, $26,000; Havasupai Hospital, $4,750; Hopi Hospital, $38,650; Leupp Hospital, $24,950; San Carlos Hospital, $18,325; Tohatchi Hospital, $11,450; Colorado River Hospital, $22,150; San Xavier Sanatorium, $36,000; Phoenix Hospital, $29,050; Hopi Navajo Sanatorium, $28,750; Arizona.

California: Hoopa Valley Hospital, $20,900; Soboba Hospital, $19,150; Fort Bidwell Hospital, $14,350; Fort Yuma Hospital, $13,350; California.

Colorado: Ute Mountain Hospital, $11,650; Edward T. Taylor Hospital, $24,400; Colorado.

Idaho: Fort Lapwai Sanatorium, $81,000; Fort Hall Hospitals, $14,300; Idaho.

Iowa: Sac and Fox Sanatorium, $66,650; annex for general patients, $6,000; in all, $72,650; Iowa.

Minnesota: Pipestone Hospital, $21,350; Minnesota.

Mississippi: Choctaw Hospital, $26,000; Mississippi.

Montana: Blackfeet Hospital, $23,900; Fort Peck Hospital, $21,350; Crow Agency Hospital, $23,300; Fort Belknap Hospital, $28,900; Tongue River Hospital, $28,900; Montana.

Nebraska: Winnebago Hospital, $34,100; Nebraska.

Nevada: Carson Hospital, $19,125; Pyramid Lake Sanatorium, $33,100; Walker River Hospital, $19,950; Western Shoshone Hospital, $9,450; Nevada.

New Mexico: Jicarilla Hospital and Sanatorium, $57,450; Laguna Sanatorium, $28,600; Mescalero Hospital, $19,200; Eastern Navajo Hospital, $14,300; Northern Navajo Hospital, $26,800; Taos Hospital, $8,725; Zuni Sanatorium, $52,200; Albuquerque Hospital, $48,050; Charles H. Burke Hospital, $7,650; Santa Fe Hospital, $38.450; Toadlena Hospital, $9,675; New Mexico.

North Carolina: Cherokee Hospital, $7,525; North Carolina.

North Dakota: Turtle Mountain Hospital, $33,850; Fort Berthold Hospital, $17,450; Fort Totten Hospital, $22,025; Standing Rock Hospital, $24,100; North Dakota.

Oklahoma: Cheyenne and Arapahoe Hospital, $34,500; Choctaw and Chickasaw Sanatorium, $52,360; Shawnee Sanatorium, $86,900; for water supply, including payment for necessary rights of way, $15,000, to be immediately available; in all, $101,900; Claremore Hospital, $30,400; Clinton Hospital, $19,200; Pawnee and Ponca Hospital, $28,350; Kiowa Hospital, $67,550; Oklahoma.

South Dakota: Canton Asylum, $44,550; Crow Creek Hospital, $20,700; Pine Ridge Hospitals, $41,250; Rosebud Hospital, $27,050; South Dakota.

Utah: Uintah Hospital, $10,450; Utah.

Washington: Yakima Sanatorium, $38,300; Tacoma Sanatorium, $192,150; Tulalip Hospital, $8,600; Washington.

Wisconsin: Hayward Hospital, $28,700; Tomah Hospital, $25,950; Wisconsin.

Wyoming: Shoshone, $17,100; Wyoming.

Provided, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures in the various hospitals named, but not more than 10 per centum shall be added to the amount appropriated for any one of said hospitals or for any particular item within any hospital, and any interchange of appropriations hereunder shall be reported to Congress in the Annual Budget: *Provided further*, That nonreservation boarding schools receiving specific appropriations shall contribute on a per diem basis for the hospitalization of pupils in hospitals located at such schools and supported from this appro- *Provisos.* Interchangeable expenditures. Report to Congress. Hospitalization of pupils.

Albuquerque Sanatorium.
Balance reappropriated.
46 Stat., 1135; ante, 222.

priation: *Provided further*, That the unexpended balance of the appropriation contained in the Interior Department Appropriation Act, fiscal year 1932, for the construction and equipment of the Albuquerque Sanatorium, and employees' quarters, New Mexico, and not to exceed $300,000 of the unexpended balance of the appropriation for the Sioux Sanatorium and employees' quarters, South Dakota, contained in the same Act, are hereby continued available for the same purposes until June 30, 1934;

Sioux Sanatorium, S. Dak.
46 Stat., 1136; ante, 223.

Clinical survey of disease conditions.
Balance reappropriated.
47 Stat., 109; ante, 271.
Proviso.
Local cooperation.

For a clinical survey of tuberculosis, trachoma, and venereal and other disease conditions among Indians, $25,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1933: *Provided*, That in conducting such survey the cooperation of such State and other organizations engaged in similar work shall be enlisted wherever practicable and where services of physicians, nurses, or other persons are donated their travel and other expenses may be paid from this appropriation.

Chippewas in Minnesota.
Hospitals for, from tribal funds.
25 Stat., 645, vol. 1, 305.

Support of hospitals, Chippewas in Minnesota (tribal funds): For support of hospitals maintained for the benefit of the Chippewa Indians in the State of Minnesota, including not to exceed $12,000 for improvement of water and sewer systems, Onigum Sanatorium, $131,550, payable from the principal sum on deposit to the credit of said Indians arising under section 7 of the Act of January 14, 1889 (25 Stat., p. 645).

Health work.

There shall be available for health work among the several tribes of Indians not exceeding $175,000 of the tribal trust funds authorized elsewhere in this Act for support of Indians and administration of Indian property: *Provided*, That not more than $7,500 of such amount may be expended for new construction in connection with health activities at any one place.

Proviso.
New construction.

Medical relief in Alaska.

Medical relief in Alaska: To enable the Secretary of the Interior, in his discretion, and under his direction through the Bureau of Indian Affairs, with the advice and cooperation of the Public Health Service, to provide for the medical and sanitary relief of the Eskimos, Aleuts, Indians, and other natives of Alaska; erection, purchase, repair, rental, and equipment of hospital buildings; books and surgical apparatus; pay and necessary traveling expenses of physicians, nurses, and other employees, and all other necessary miscellaneous expenses which are not included under the above special heads, $281,600, to be available immediately.

Support and administration.

GENERAL SUPPORT AND ADMINISTRATION

Expenses, for sundry agencies and reservations.
Proviso.
Special commissioner's salary, etc.

For general support of Indians and administration of Indian property, including pay of employees, $1,590,900: *Provided*, That no part of the money appropriated in this Act shall be used for the payment of the salary or expenses of a special commissioner to negotiate with Indians.

Fulfilling treaties, etc.

Fulfilling treaties with Indians: For the purpose of discharging obligations of the United States under treaties and agreements with various tribes and bands of Indians as follows:

Northern Cheyennes and Arapahoes, Mont.
19 Stat., 256, vol. 1, 170.

Northern Cheyennes and Arapahoes, Montana (article 7, treaty of May 10, 1868, and agreement of February 28, 1877), $73,000;

Pawnees, Okla.
11 Stat., 731, vol. 2, 764, 765; 27 Stat., 644, vol. 1, 498.

Pawnees, Oklahoma (articles 3 and 4, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), $50,000;

Sioux.
15 Stat., 635, vol. 2, 998; 19 Stat., 254, vol. 1, 168.

Sioux of different tribes, including Santee Sioux of Nebraska, North Dakota, and South Dakota (articles 8 and 13, treaty of April 29, 1868, 15 Stat., p. 635, and Act of February 28, 1877, 19 Stat., p. 254), $428,000;

Total.

In all, for said treaty stipulations, not to exceed $551,000.

General support, etc. at specified agencies, from tribal funds.

For general support of Indians and administration of Indian property under the jurisdiction of the following agencies, to be paid from the funds held by the United States in trust for the respective tribes, in not to exceed the following sums, respectively:

Arizona.

Arizona: Colorado River, $3,500; Fort Apache, $18,900; Leupp, $2,000; Paiute, $7,500; San Carlos, $48,700; Truxton Canyon, $9,400; in all, $90,000;

California.

California: Fort Yuma, $4,000; Mission, $3,000; Round Valley, $1,000; in all, $8,000;

Colorado.

Colorado: Consolidated Ute (Southern Ute, $15,000; Ute Mountain, $15,000); in all, $30,000;

Idaho.

Idaho: Fort Hall, $9,500; Fort Lapwai, $4,800; in all, $14,300;

Iowa.

Iowa: Sac and Fox, $2,000;

Minnesota.

Minnesota: Red Lake, $43,500;

Montana.

Montana: Blackfeet, $7,500; Flathead, $19,400; Tongue River, $12,740; Rocky Boy, $1,000; in all, $40,640;

Nebraska.

Nebraska: Omaha, $1,000;

Travel expenses.

For traveling and other necessary expenses of a delegation of Omaha Indians to and from Washington, District of Columbia, on business relating to the affairs of said Indians, $650, to be immediately available, payable from funds held by the United States in trust for the Omaha Tribe;

Nevada.

Nevada: Carson (Summit Lake), $1,000; Pyramid Lake, $2,860; Western Shoshone, $9,640; in all, $13,500;

North Carolina.

North Carolina: Cherokee, $10,000;

North Dakota.

North Dakota: Fort Totten, $1,000;

Oregon.

Oregon: Klamath, $44,900; Umatilla, $4,570; in all, $49,470;

South Dakota.

South Dakota: Cheyenne River, $75,000; Pine Ridge, $4,000; in all, $79,000;

Utah.

Utah: Uintah and Ouray, $10,000: *Provided*, That not to exceed $500 of this amount may be used to pay part of the expenses of the State Experimental Farm, located near Fort Duchesne, Utah, within the Uintah and Ouray Indian Reservation;

Proviso. State Experimental Farm.

Washington.

Washington: Colville, $35,000; Neah Bay, $4,740; Puyallup, $2,000, of which $1,000 shall be available for the upkeep of the Puyallup Indian cemetery; Taholah (Quinaielt), $1,000; in all, $42,740;

Wisconsin.

Wisconsin: Lac du Flambeau, $2,000; Keshena, $55,000, including $5,000 for monthly allowances, under such rules and regulations as the Secretary of the Interior may prescribe, to such old and indigent members of the Menominee Tribe as it is impracticable to place in the home for old and indigent Menominee Indians, and who reside with relatives or friends; in all, $57,000;

Wyoming.

Wyoming: Shoshone, $37,050;

In all, not to exceed $529,850.

Chippewas in Minnesota.

General support, etc.

Support of Chippewa Indians in Minnesota (tribal funds): For general support, administration of property, and promotion of self-support among the Chippewa Indians in the State of Minnesota, $75,000, to be paid from the principal sum on deposit to the credit of said Indians, arising under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota," approved January 14, 1889 (25 Stat., p. 645), to be used exclusively for the purposes following: Not exceeding $45,000 of this amount may be expended for general agency purposes; not exceeding $30,000 may be expended in the discretion of the Secretary of the Interior in aiding indigent Chippewa Indians upon the condition that any funds used in support of a member of the tribe shall be reimbursed out of and become a lien against any individual property of which such member may now or hereafter become seized or

25 Stat., 645, vol. 1, 305.

Purposes specified.

possessed, the two preceding requirements not to apply to any old, infirm, or indigent Indian, in the discretion of the Secretary of the Interior.

Five Civilized Tribes. Expenses specified.

Expenses of tribal officers, Five Civilized Tribes, Oklahoma (tribal funds): For the current fiscal year money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, salaries and contingent expenses of the governor of the Chickasaw Nation and chief of the Choctaw Nation and one mining trustee for the Choctaw and Chickasaw Nations at salaries at the rate heretofore paid for the said governor and said chief and $4,000 for the said mining trustee, and one attorney each for the Choctaw and Chickasaw Tribes employed under contract approved by the President under existing law: *Provided*, That the expenses of the above-named officials shall be determined and limited by the Commissioner of Indian Affairs, not to exceed $2,500 each.

Proviso. Limitation.

Osages, Okla. Agency expenses, from trust funds.

Support of Osage Agency and pay of tribal officers, Oklahoma (tribal funds): For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage Reservation, Oklahoma, including pay of necessary employees, the tribal attorney and his stenographer, one special attorney in tax and other matters, and pay of tribal officers; repairs to buildings, rent of quarters for employees, traveling expenses, printing, telegraphing, and telephoning, and purchase, repair, and operation of automobiles, $125,000, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma.

Visits of tribal council to Washington, D.C.

Expenses of Osage Tribal Council (tribal funds): For traveling and other expenses of the Osage Tribal Council or committees thereof when engaged on business of the Tribe, including visits to Washington, District of Columbia, when duly authorized or approved by the Secretary of the Interior, $5,000, to be paid from the funds held by the United States in trust for the Osage Tribe.

Confederated Bands of Utes, Utah. Distribution to, from tribal funds.

Confederated Bands of Utes (tribal funds): The sum of $24,250 is hereby appropriated out of the principal funds to the credit of the Confederated Bands of Ute Indians, the sum of $14,710 of said amount for the benefit of the Ute Mountain (formerly Navajo Springs) Band of said Indians in Colorado, and the sum of $9,540 of said amount for the Uintah, White River, and Uncompahgre Bands of Ute Indians in Utah, which sums shall be charged to said bands, and the Secretary of the Interior is also authorized to withdraw from the Treasury the accrued interest to and including June 30, 1933, on the funds of the said Confederated Bands of Ute Indians appropriated under the Act of March 4, 1913 (37 Stat., p. 934), and to expend or distribute the same for the purpose of administering the property of and promoting self-support among the said Indians, under such regulations as the Secretary of the Interior may prescribe: *Provided*, That none of the funds in this paragraph shall be expended on road construction unless preference shall be given to Indians in the employment of labor on all roads constructed from the sums herein appropriated from the funds of the Confederated Bands of Utes.

Self-support and administering property. 37 Stat., 934, vol. 3, 559.

Proviso. Indian labor on road construction.

Roads and bridges.

ROADS AND BRIDGES

Red Lake Reservation, Minn. Construction, etc., from Chippewa trust funds.

Roads and bridges, Red Lake, Minnesota (tribal funds): For the construction and repair of roads and bridges on the Red Lake Indian Reservation, including the purchase of material, equipment, and supplies, and the employment of labor, $25,000, to be paid from the

funds held by the United States in trust for the Red Lake Band of Chippewa Indians in the State of Minnesota: *Provided*, That Indian labor shall be employed as far as practicable.

Proviso.
Indian labor.

For the construction, repair, and maintenance of roads on Indian reservations not eligible to Government aid under the Federal Highway Act, including engineering and supervision and the purchase of material, equipment, supplies, and the employment of Indian labor, $250,000: *Provided*, That where practicable the Secretary of the Interior shall arrange with the local authorities to defray the maintenance expenses of roads constructed hereunder and to cooperate in such construction.

Road construction, non-Federal aid highways.

Proviso.
Local contribution.

For maintenance and repair of that portion of the Gallup-Shiprock Highway within the Navajo Reservation, New Mexico, including the purchase of machinery, $20,000, reimbursable: *Provided*, That other than for supervision and engineering only Indian labor shall be employed for such maintenance and repair work.

Gallup - Shiprock Highway, N. Mex.
Maintenance, etc.
Proviso.
Indian labor.

ANNUITIES AND PER CAPITA PAYMENTS

Annuities, etc.

For fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831, 4 Stat., p. 442), $6,000.

Senecas, N. Y.
4 Stat., 442.

For fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), $4,500.

Six Nations, N. Y.
7 Stat., 46, vol. 2, 36.

For fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty of June 22, 1855), $3,000; for permanent annuity for support of light horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), $600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $320; in all, $10,520.

Choctaws, Okla.
7 Stat., 99, 212, 213, 236, vol. 2, 87, 192, 211, 706.
11 Stat., 614, vol. 2, 706, 709.

To carry out the provisions of the Chippewa treaty of September 30, 1854 (10 Stat., p. 1109), $10,000, in part settlement of the amount, $141,000, found due and heretofore approved for the Saint Croix Chippewa Indians of Wisconsin, whose names appear on the final roll prepared by the Secretary of the Interior pursuant to Act of August 1, 1914 (38 Stat., pp. 582–605), and contained in House Document Numbered 1663, said sum of $10,000 to be expended in the purchase of land or for the benefit of said Indians by the Commissioner of Indian Affairs: *Provided*, That, in the discretion of the Commissioner of Indian Affairs, the per capita share of any of said Indians under this appropriation may be paid in cash.

Saint Croix Chippewas, Wis.
Purchase of land.
10 Stat., 1109, vol. 2, 648.
38 Stat. 607, vol. 4, 7.
Proviso.
Discretionary cash payment.

When, in the judgment of the Secretary of the Interior, it is necessary for accomplishment of the purposes of appropriations herein made for the Indian field service, such appropriations shall be available for purchase of ice, rubber boots for use of employees, for travel expenses of employees on official business, and for the cost of packing, crating, drayage, and transportation of personal effects of employees upon permanent change of station.

Field service appropriations.
Available for supplies, etc.

The appropriations for education of natives of Alaska and medical relief in Alaska shall be available for the payment of traveling expenses of new appointees from Seattle, Washington, to their posts of duty in Alaska, and of traveling expenses, packing, crating, and

Alaska natives.
Education and medical relief.

transportation (including drayage) of personal effects of employees upon permanent change of station within Alaska, under regulations to be prescribed by the Secretary of the Interior.

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National Park Service.

NATIONAL PARK SERVICE

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Glacier, Mont.

Glacier National Park, Montana: For administration, protection, and maintenance, including necessary repairs to the roads from Glacier Park Station through the Blackfeet Indian Reservation to the various points in the boundary line of the Glacier National Park and the international boundary, including not exceeding $750 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $191,300; for construction of physical improvements, $8,700, including not exceeding $4,000 for a ranger station, $1,500 for a road maintenance camp, $1,200 for two snowshoe cabins, and $2,000 for two camp-tender cabins; in all, $200,000.

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Roads and trails. Construction, etc., of in parks and monuments.

Special authorizations.

44 Stat., 616. U. S. C., p. 1936.

Contractual authorization.

Construction, and so forth, of roads and trails: For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in national parks and monuments under the jurisdiction of the Department of the Interior, including the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary, and areas to be established as national parks under the Act of May 22, 1926 (U. S. C. title 16, sec. 403), and for the replacement of a road at Felsgate Creek on the Navy mine depot in connection with the Colonial National Monument Parkway, Virginia, at a cost of not to exceed $20,000, to be immediately available and remain available until expended, $2,435,700, a part of the amount of the contractual authorization of $2,500,000 contained in the Act making appropriations for the Department of the Interior for the fiscal year 1933: *Provided*, That not to exceed $23,000 of the amount herein appropriated may be expended for personal services in the District of Columbia during the fiscal year 1934.

Provisos. Services in the District.

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Field work appropriations available for work animals, etc.

SEC. 2. Appropriations herein made for field work under the General Land Office, the Bureau of Indian Affairs, the Bureau of Reclamation, the Geological Survey, and the National Park Service shall be available for the hire, with or without personal services, of work animals and animal-drawn and motor-propelled vehicles and equipment.

Approved, February 17, 1933.

February 25, 1933. [S. 4589.]

47 Stat., 906.

CHAP. 123.—An Act To authorize the Secretary of the Interior to make payment of part of the expenses incurred in securing improvements in drainage project of drainage district numbered 1, Richardson County, Nebraska, and for other purposes

Richardson County, Nebr. Payment of part expenses, drainage district, numbered one for enlarging channel, etc., authorized.

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, with the consent of the Indians of the Sac and Fox Reservation, Nebraska, whose lands shall be benefited by the project of drainage district numbered 1, Richardson County, Nebraska, is hereby authorized to pay, from funds now or hereafter on deposit to the credit of the individuals concerned, such Indians' pro rata share

of the expenses incurred by landowners interested in such project in the prosecution of a suit in equity to require the said drainage district to enlarge the channel of its system, and to do all things necessary to accommodate the water accumulated therein and to prevent overflows thereof: *Provided*, That the amounts so paid on behalf of such Indians shall not exceed the rate of $2 per acre for each acre of Indian land benefited nor a total of $600.

Proviso.
Maximum amount.

Approved, February 25, 1933.

CHAP. 124.—An Act To authorize the Veterans' Administration or other Federal agencies to turn over to superintendents of the Indian Service amounts due Indians who are under legal disability, or to estates of such deceased Indians

February 25, 1933.
[S. 4756.]
47 Stat., 907.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any money accruing from the Veterans' Administration or other governmental agency to incompetent adult Indians, or minor Indians, who are recognized wards of the Federal Government, for whom no legal guardians or other fiduciaries have been appointed may be paid, in the discretion of the Administrator of Veterans' Affairs, or other head of a governmental bureau or agency, having such funds for payment, to such superintendent or other bonded officer of the Indian Service as the Secretary of the Interior shall designate, for the use of such beneficiaries, or to be paid to or used for, the heirs of such deceased beneficiaries, to be handled and accounted for by him with other moneys under his control, in accordance with existing law and the regulations of the Department of the Interior.

Indian Service.
Amounts due Indians under legal disability, etc., to be paid designated superintendent for use of beneficiaries, or their heirs.

Approved, February 25, 1933.

CHAP. 144.—An Act Making appropriations for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1934, and for other purposes

March 1, 1933.
[H. R. 14363.]
47 Stat., 1371.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1934, namely:

Appropriations for Departments of State and Justice, the Judiciary, and Departments of Commerce and Labor.

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TITLE II.—DEPARTMENT OF JUSTICE

Department of Justice.

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MISCELLANEOUS OBJECTS, DEPARTMENT OF JUSTICE

Miscellaneous.

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Defending suits in claims against the United States: For necessary expenses incurred in the examination of witnesses, procuring evidence, employment of experts at such rates of compensation as may be authorized or approved by the Attorney General, and such other expenses as may be necessary in defending suits in the Court of Claims, including Indian depredation claims, to be expended under the direction of the Attorney General, $60,000.

Defending suits in claims.

Indian depredation claims.

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Approved, March 1, 1933.

March 1, 1933.
[H. R. 10086.]
47 Stat., 1417.

CHAP. 158.—An Act To amend the Act of February 14, 1920, authorizing and directing the collection of fees for work done for the benefit of Indians

Indian Service, fees for services.
41 Stat., 415, vol. 4, 240.
U. S. C., p. 720, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the item contained in the Act approved February 14, 1920 (41 Stat. L. 415; U. S. C., title 25, sec. 413), authorizing and directing the collection of fees to cover the cost of certain specified work performed for the benefit of Indians, be, and the same is hereby, amended so as to read as follows:

Collection of, optional, under prescribed rules.

"That the Secretary of the Interior is hereby authorized, in his discretion, and under such rules and regulations as he may prescribe, to collect reasonable fees to cover the cost of any and all work performed for Indian tribes or for individual Indians, to be paid by vendees, lessees, or assignees, or deducted from the proceeds of sale, leases, or other sources of revenue: *Provided*, That the amounts so collected shall be covered into the Treasury as miscellaneous receipts, except when the expenses of the work are paid from Indian tribal funds, in which event they shall be credited to such funds."

Proviso.

Sums paid from tribal funds to be credited thereto.

Approved, March 1, 1933.

March 1, 1933.
[H. R. 11735.]
47 Stat., 1418.

CHAP. 160.—An Act To permanently set aside certain lands in Utah as an addition to the Navajo Indian Reservation, and for other purposes [1]

Navajo Indian Reservation, Utah.
Designated lands set aside as addition to.
Description.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all vacant, unreserved, and undisposed of public lands within the areas in the southern part of the State of Utah, bounded as follows: Beginning at a point where the San Juan River intersects the one hundred and tenth degree of west latitude; thence down said river to its confluence with the Colorado River; thence down the Colorado River to a point where said river crosses the boundary line between Utah and Arizona; thence east along said boundary line to the one hundred and tenth degree of west longtitude; thence north to the place of beginning; also beginning at a point where the west rim of Montezuma Creek or wash intersects the north boundary line of the Navajo Indian Reservation in Utah; thence northerly along the western rim of said creek or wash to a point where it intersects the section line running east and west between sections 23 and 26, township 39 south, range 24 east, Salt Lake base and meridian in Utah; thence eastward along said section line to the northeast section corner of section 26, township 39 south, range 25 east; thence south one mile along the section line between sections 25 and 26 to the southeast section corner of section 26, township 39 south, range 25 east; thence eastward along the section line between sections 25 and 36, township 39 south, range 25 east, extending through township 39 south, range 26 east, to its intersection with the boundary line between Utah and Colorado; thence south along said boundary line to its intersection with the north boundary line of the Navajo Indian Reservation; thence in a westerly direction along the north boundary line of said reservation to the point of beginning be, and the same are hereby, permanently withdrawn from all forms of entry or disposal for the benefit of the Navajo and such other Indians as the Secretary of the Interior may see fit to settle thereon: *Provided*, That no further allotments of lands to Indians on the public domain shall be made in San Juan County, Utah, nor shall further Indian homesteads be made in said county under the Act of July 4, 1884 (23 Stat. 96; U. S. C., title 43, sec. 190). Should oil or gas be produced in paying quantities within the lands hereby added to the Navajo Reservation, 37½ per centum of the net

Provisos.
Restriction on further allotments.
23 Stat., 96, vol. 1, 31.
U. S. C., p. 1338.

[1] 54 I. D. D., 205.

royalties accruing therefrom derived from tribal leases shall be paid to the State of Utah: *Provided*, That said 37½ per centum of said royalties shall be expended by the State of Utah in the tuition of Indian children in white schools and/or in the building or maintenance of roads across the lands described in section 1 hereof, or for the benefit of the Indians residing therein.

Portion of oil, etc., revenues to be paid to State.
Use of.

SEC. 2. That the State of Utah may relinquish such tracts of school land within the areas added to the Navajo Reservation by section 1 of this Act as it may see fit in favor of the said Indians, and shall have the right to select other unreserved and nonmineral public lands contiguously or noncontiguously located within the State of Utah, equal in area and approximately of the same value to that relinquished, said lieu selections to be made in the same manner as is provided for in the Enabling Act of July 16, 1894 (28 Stat. L. 107), except as to the payment of fees or commissions which are hereby waived.

Relinquishment by Utah of certain school tracts to Indians.

Selection of other lands in lieu.

28 Stat., 109, vol. 1, 514.
Fees waived.

Approved, March 1, 1933.

CHAP. 161.—An Act To amend the description of land described in section 1 of the Act approved February 14, 1931, entitled "An Act to authorize the President of the United States to establish the Canyon De Chelly National Monument within the Navajo Indian Reservation, Arizona"

March 1, 1933.
[H. R. 13960.]
47 Stat., 1419.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the description of the tract of land described in section 1 of the Act approved February 14, 1931, entitled "An Act to authorize the President of the United States to establish the Canyon De Chelly National Monument within the Navajo Indian Reservation, Arizona" (U. S. C., title 16, secs. 445, 445b), be, and the same is hereby, amended to read as follows:

Canyon De Chelly National Monument, Ariz.

46 Stat., 1161; ante, 229.
U. S. C., Supp. VI, p. 219, amended.

"All lands in Del Muerto, De Chelly, and Monument Canyons, and the canyons tributary thereto, and the lands within one-half mile of the rims of the said canyons, situated in unsurveyed townships 4 and 5 north, range 7 west; townships 4, 5, and 6 north, range 8 west; townships 4 and 5 north, range 9 west; and in surveyed townships 4 and 5 north, range 6 west; townships 3, 6, and 7 north, range 7 west; township 6 north, range 9 west; and township 5 north, range 10 west; embracing about eighty-three thousand eight hundred and forty acres, all of the Navajo meridian, in Arizona."

Description of tract amended.

Approved, March 1, 1933.

CHAP. 183.—An Act Providing for an alternate budget for the Indian Service, fiscal year 1935

March 2, 1933.
[S. 5622.]
47 Stat., 1422.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the estimates of appropriations for the Bureau of Indian Affairs transmitted in the Budget for the fiscal year 1935 in the customary order and arrangement, there shall be submitted for the consideration of Congress an alternate arrangement of such estimates with a view to simplification and clarity of presentation and consideration thereof.

Indian Service.
Alternate budget, fiscal year 1935, to be submitted.

Approved, March 2, 1933.

CHAP. 198.—An Act To allow credit in connection with homestead entries to widows of persons who served in certain Indian wars

March 3, 1933.
[S. 2654.]
47 Stat., 1424.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions and limitations of the Act entitled "An Act to allow credit to homestead settlers and entrymen for military service in certain Indian

Homestead entries, public lands.
46 Stat., 144, amended; ante, 38.
Rights of unmarried widows of Indian War veterans.

wars," approved April 7, 1930, are hereby extended to the widow of any person who would be entitled to make homestead entry or settlement and receive credit in connection therewith for military service under the provisions of such Act, if such widow is unmarried and otherwise qualified to make entry of public lands under the provisions of the homestead laws of the United States and has heretofore made or shall hereafter make such entry: *Provided*, That in the event of the death of any such widow prior to perfection of title, leaving only a minor child or children, patent shall issue to the said minor child or children upon proof of death, and of the minority of the child or children, without further showing or compliance with law.

Proviso.
Patent to minor child if death prior to perfection of title.

Approved, March 3, 1933.

March 3, 1933.
[S. 5525.]
47 Stat., 1427.

CHAP. 201.—An Act To extend temporary relief to water users on irrigation projects on Indian reservations, 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 Secretary of the Interior is authorized and directed to extend to water users on Indian irrigation projects like relief to that provided in an Act approved April 1, 1932, applying to water users under the reclamation law for the remaining half of such charges due for the calendar year 1932 and for all similar charges to become due for the calendar year 1933, the said Secretary to issue appropriate regulations for the carrying out of the provisions of this Act.

Indian irrigation projects.
Relief provisions to water users on, extended.

47 Stat., 75; ante, 251, 298.

Approved, March 3, 1933.

March 3, 1933.
[H. R. 13872.]
47 Stat., 1432.

CHAP. 203.—An Act Making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1934, 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 are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Agriculture for the fiscal year ending June 30, 1934, namely:

Department of Agriculture appropriations, fiscal year 1934.

* * * * * * *

BUREAU OF PUBLIC ROADS

Public Roads Bureau.

* * * * * * *

Emergency appropriation for highways improvements continued.
46 Stat., 1031; ante, 187.

The appropriation of $3,000,000 for roads on unappropriated or unreserved public lands, nontaxable Indians lands, and so forth, contained in the Act entitled "An Act making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment," approved December 20, 1930, is hereby continued available during the fiscal year 1934.

Emergency road construction on Indian reservations, etc.
47 Stat., 717; post, 634.

The appropriation of $2,000,000 for roads on unappropriated or unreserved public lands, nontaxable Indian lands, and so forth, contained in the Act entitled "An Act to relieve destitution, to broaden the lending powers of the Reconstruction Finance Corporation, and to create employment by providing for and expediting a public-works program," approved July 21, 1932, is hereby continued available during the fiscal year 1934, and not to exceed $4,373 may be used for personal services in the District of Columbia.

* * * * * * *

Approved, March 3, 1933.

CHAP. 211.—An Act For the relief of the Uintah, White River, and Uncompahgre Bands of Ute Indians of Utah, and for other purposes

March 3, 1933.
[H. R. 12651.]
47 Stat., 1488.

Uintah, etc., bands of Ute Indians, Utah.

Pro rata payments to members of, from tribal funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to withdraw from the Treasury of the United States the total funds on deposit to the credit of the Uintah, White River, and Uncompahgre Bands of Ute Indians, arising under the provisions of the Act of February 13, 1931 (46 Stat. 1092), including the accrued interest thereon and cause the total sum to be paid in pro rata shares to all members of the said Uintah, White River, and Uncompahgre Bands of Ute Indians who were alive and entitled to enrollment with such Indians on February 13, 1931: *Provided*, That the said Secretary, under such rules and regulations as he may prescribe, shall cause the shares of all Indians, including minors, to be deposited as individual Indian money in banks bonded and designated as depositaries for individual Indian moneys, to remain subject to disbursement for the benefit of the Indians entitled thereto as are other individual Indian moneys under existing laws.

46 Stat., 1092; ante, 196.

Proviso.
Deposit of shares.

SEC. 2. The funds when so deposited to the credit of each individual Indian shall become immediately available for the purpose of improving their lands, the erection of suitable homes, the purchasing of building material, farming equipment, livestock, feed, food, seed, grain, tools, machinery, implements, household goods, bedding, clothing, and any other equipment or supplies necessary to enable the Indians to fit themselves for or to engage in farming, livestock industry, or such other pursuits or avocations as will enable them to become self-supporting under such rules and regulations as may be prescribed by the Secretary of the Interior for their actual benefit and welfare: *Provided*, That in cases of the aged, infirm, decrepit, or incapacitated members their shares may be used for their proper maintenance and support in the discretion of the Secretary of the Interior.

Use of such funds.

Proviso.
Maintenance of aged, etc., members.

SEC. 3. The funds deposited to the credit of minors, under authority of this Act, may be invested or expended in the same manner and for the same purposes as are herein provided for the adults: *Provided*, That where the funds of any minor are invested or expended it shall be done with the consent of the parents and the approval of the Secretary of the Interior.

Investing funds of minors.

Proviso.
Consent required.

SEC. 4. In no event shall any of this money become liable, payable, or subject to any debt or debts contracted prior to the passage of this Act.

Sums not subject to prior debts.

Approved, March 3, 1933.

CHAP. 275.—An Act To authorize the Secretary of the Interior to modify the terms of existing contracts for the sale of timber on Indian land when it is in the interest of the Indians so to do[1]

March 4, 1933.
[H. R. 6684.]
47 Stat., 1568.

Timber sales, Indian lands.

Terms of existing contracts may be modified, with consent of Indians.

36 Stat., 857, amended, vol. 3, 477.

Provisos.
Reduction below basic price.

Conditions of operation.

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, with the consent of the Indians involved, expressed through a regularly called general council, and of the purchasers, is hereby authorized and directed to modify the terms of now existing and uncompleted contracts of sale of Indian tribal timber: *Provided*, That the prices are not reduced below the basic sale prices: *Provided further*, That any such modifications shall be upon the express condition that said purchaser shall forthwith proceed to operate under

[1] 54 I. D. D., 401, 547.

Provision for increasing stumpage prices.

all the terms of said contract as modified or suffer forfeiture of such contract and collection upon his bond: *And provided further*, That any modification of said contracts shall stipulate that in the event of sufficiently improved economic conditions the Secretary of the Interior with the consent of the said general council is authorized and directed, after consultation with the purchasers and the Indians involved and after ninety days' notice to them, to increase stumpage prices of timber reduced in any such modified contract: *And provided further*, That hereafter no contract of sale of Indian timber on the Klamath Indian Reservation in Oregon shall be entered into without the consent of the said general council.

Consent of Klamath Council to sale of its timber.

Existing contracts between individual allottees, etc., may be modified.

SEC. 2. The Secretary of the Interior may modify existing contracts between individual Indian allottees or their heirs and purchasers of their timber, under the terms and requirements of section 1 of this Act, with the consent of the allottee or his heirs.

Indian labor.

SEC. 3. In all such modified contracts the purchasers of Indian timber on tribal lands or on restricted or trust allotments in all operations pertaining to the logging and manufacturing of said timber shall be required to give preference to the employment of Indian labor.

Approved, March 4, 1933.

March 4, 1933.
[H. R. 11896.]
47 Stat., 1569.

CHAP. 276.—An Act To provide for expenses of the Northern Cheyenne Indian Tribal Council and authorized delegates of the tribe

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated the sum of $1,000, or as much thereof as may be necessary, of the funds standing to the credit of the Northern Cheyenne Indians in the Treasury of the United States for expenses of the Northern Cheyenne Indian Tribal Council and authorized delegates of the tribe.

Northern Cheyenne Indian Council, etc.
Sum authorized for expenses.

Approved, March 4, 1933.

March 4, 1933.
[H. R. 14769.]
47 Stat., 1602.

CHAP. 282.—An Act Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1933, and June 30, 1934, and for other purposes

Second Deficiency Act, fiscal year 1933.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1933, and June 30, 1934, and for other purposes, namely:

* * * * * * *

Interior Department.

DEPARTMENT OF THE INTERIOR

Indian Affairs Bureau.

BUREAU OF INDIAN AFFAIRS

Indian supplies.

Purchase and transportation of Indian supplies: For an additional amount for expenses of purchase and for transportation of goods and supplies for the Indian Service, fiscal year 1932, $175,000.

Five Civilized Tribes, Okla.
Attorneys, etc., for.

Probate attorneys, Five Civilized Tribes, Oklahoma: For an additional amount for salaries and expenses of such attorneys and other employees as the Secretary of the Interior may, in his discretion, deem necessary in probate matters affecting restricted allottees or their heirs in the Five Civilized Tribes, and in the several tribes of

the Quapaw Agency, and for the costs and other necessary expenses incident to suits instituted or conducted by such attorneys, fiscal year 1930, $21.15.

Hopi and Navajo Indians.
Reimbursement for destroyed cattle.

Suppressing contagious diseases among livestock of Indians: For reimbursing Hopi and Navajo Indians for cattle that died, or were destroyed, in connection with dipping operations for the eradication of scabies, fiscal year 1926, $125.

Flathead Reservation, Mont.
Irrigation project.

Irrigation systems, Flathead Reservation, Montana: For an additional amount for completion of lower Crow Reservoir, Flathead irrigation project, Montana, fiscal years 1933 and 1934, $25,000, reimbursable.

Lummi Reservation, Wash.
Repairing flood damages.
Proviso.
Repayment for private ownership.

Reclaiming lands, Lummi Reservation, Washington: For an additional amount for repairing flood damages, Lummi diking project, Washington, fiscal years 1933 and 1934, $17,600, reimbursable: *Provided*, That no part of this appropriation shall be expended for the benefit of any lands in private ownership until an appropriate repayment contract in form approved by the Secretary of the Interior shall have been properly executed by the landowners whose lands may be benefited thereby.

Wapato irrigation project, Wash.
Maintenance, etc.

Operation and maintenance, Wapato project, Washington: For operation and maintenance, including repairs, of the Wapato irrigation project, Yakima Indian Reservation, Washington, fiscal year 1933, $30,000, reimbursable.

Indian schools.
Construction, etc.

Indian school buildings: For an additional amount for construction, lease, purchase, repair, and improvement of school buildings, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, fiscal year 1929, $228.50.

Sacaton, Ariz.

Sacaton, Arizona, Indian school building: For school building, including equipment, Sacaton, Arizona, fiscal years 1933 and 1934, $65,000.

Chilocco, Okla.

Chilocco, Oklahoma, Indian Boarding School Building: For remodeling and repairing girls' dormitory damaged by fire at Chilocco, Oklahoma, including replacement of equipment, fiscal year 1933, to remain available during the fiscal year 1934, $40,000.

Truxton Canyon, Ariz.

Indian boarding schools, Truxton Canyon, Arizona: For replacement of power plant and equipment destroyed by fire, $32,000, to remain available until June 30, 1934.

Educating Alaskan natives.

Education of natives in Alaska: For an additional amount for payment of obligations for freight, fiscal years 1931 and 1932, $33,518.59.

Medical relief in Alaska.

Medical relief in Alaska: For an additional amount to enable the Secretary of the Interior to provide for the medical and sanatorium relief of Eskimos, Aleuts, Indians, and other natives of Alaska, fiscal years 1931 and 1932, $481.73.

Menominee Indians, Wis.
General council expenses.

Expenses of the Menominee advisory board and general council (tribal funds): For traveling and other expenses of the advisory board or general council of the Menominee Tribe, Wisconsin, or committees thereof, when engaged on business of the tribe, including visits to Washington, District of Columbia, when duly authorized or approved by the Secretary of the Interior, $6,000, to remain available until June 30, 1934, and to be paid from the funds held by the United States in trust for the Menominee Tribe.

Sioux Indians, different tribes.
Paying claims of individual members.

Claims of individual Sioux Indians: For payment to individual enrolled Indians or their heirs under the Pine Ridge, Standing Rock, Cheyenne River, and Rosebud Sioux Agencies in full settlement of their claims against the Government, as found due by the Secretary

45 Stat., 484; ante, 43.
Attorney fees.
Ante, 304.

of the Interior pursuant to the Act of May 3, 1928 (45 Stat., p. 484), and for payment of attorney fees in connection with the adjudication of such claims, as authorized by the Act of February 16, 1933 (Public, Numbered 359, Seventy-second Congress), fiscal years 1933 and 1934, $19,357.

* * * * * * *

Audited claims.

AUDITED CLAIMS

Payment of.

SEC. 4. For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus funds under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1930 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in House Document Numbered 543, Seventy-second Congress, there is appropriated as follows:

18 Stat., 110.
U. S. C., p. 1022.

23 Stat., 254.
U. S. C., p. 48.

* * * * * * *

Department of the Interior.

DEPARTMENT OF THE INTERIOR

* * * * * * *

For Indian schools, support, $37.49.

* * * * * * *

Audited claims.

AUDITED CLAIMS

Payment of additional.

SEC. 5. For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1930 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in Senate Document Numbered 203, Seventy-second Congress, there is appropriated as follows:

18 Stat., 110.
U. S. C., p. 1022.

23 Stat., 254.
U. S. C., p. 48.

* * * * * * *

Department of the Interior.

DEPARTMENT OF THE INTERIOR

For relieving distress and prevention, and so forth, of diseases among Indians, $1,079.43.

For conservation of health among Indians, $919.57.

* * * * * * *

Approved, March 4, 1933.

PRIVATE ACTS OF THE SEVENTY-SECOND CONGRESS, SECOND SESSION, 1932–1933

February 7, 1933.
[S. 2982.]

47 Stat., 1718.

CHAP. 41.—An Act For the relief of J. G. Seupelt

J. G. Seupelt.
Adjustment, homestead entry of.
43 Stat., 1362, vol. 4, 462.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the completion of the homestead entry of J. G. Seupelt on the Colville Indian Reservation authorized by the Act approved April 14, 1924 (43 Stat.

L. 1362), the Secretary of the Interior be, and he is hereby authorized and directed to make a new appraisal of the value of the property therein referred to and accept settlement therefor on the basis of such new appraisal as the appraised price of the said property.

Approved, February 7, 1933.

CHAP. 44.—An Act For the relief of S. F. Stacher

February 8, 1933.
[S. 243.]
47 Stat., 1719.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the General Accounting Office is hereby authorized and directed to credit the accounts of S. F. Stacher, superintendent and special disbursing agent, Eastern Navajo Indian Agency, Crown Point, New Mexico, in the sum of $3,004.17, representing an expenditure of that sum in the appropriation for Indian school buildings, over and above the $37,000 authorized for construction and equipment of a heating and power plant at Eastern Navajo School, fiscal year 1929.

S. F. Stacher.
Credit in accounts of.

Approved, February 8, 1933.

CHAP. 260.—An Act For the relief of Hamilton Grounds

March 3, 1933.
[S. 660.]
47 Stat., 1753.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to be held by the Bureau of Indian Affairs as a trust fund to be administered for the benefit and support of Hamilton Grounds, a Walapai Indian residing on the Walapai Indian Reservation in Mohave County, near Valentine, Arizona, the sum of $2,500, in full satisfaction of his claim against the United States for injuries caused by the explosion of a dynamite cap left by an employee of the United States on the grounds of the reservation adjoining the Truxton Canon Indian Boarding School at Valentine, Arizona: *Provided*, That so long as the said Hamilton Grounds remains a minor such monthly payments shall be made to his guardian for the benefit of the said Hamilton Grounds. Such monthly payments shall date from the approval of this Act.

Hamilton Grounds.
Payment to, for personal injuries.

Proviso.
Payment to guardian during minority.

Approved, March 3, 1933.

CHAP. 261.—An Act To provide for the addition of the names of certain persons to the final roll of the Indians of the Flathead Indian Reservation, Montana, and for other purposes

March 3, 1933.
[S. 2393.]
47 Stat., 1753.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to add to the final roll of the Indians of the Flathead Indian Reservation, Montana, approved January 22, 1920, under the Act of May 25, 1918 (40 Stat. L. 591), and the Act of June 30, 1919 (41 Stat. L. 9), the names of the following persons, descendants of the confederated Flathead Tribes of Indians: Joseph Russell Bird, Daniel Lawrence Pablo, Valerie Roullier, Henry Roullier, junior, Julia Roullier, Laura Soucie, Blanche Soucie, Joseph Soucie, Julie Soucie, Rose Marie Soucie, and Audra Jane Martin. The Secretary of the Interior is also authorized to pay each of the persons named a sum equal to that heretofore paid per capita to those whose names were upon the approved roll, and to allot each of these persons except Audra Jane Martin the same area of land allotted to

Flathead Indian Reservation, Mont.
Additions to final roll of Indians of.
40 Stat., 591, vol. 4, 177.
41 Stat., 9, vol. 4, 200.

Per capita payments and land allotments.

Exception.

children of the Flathead Reservation enrolled upon the final roll, such payments to be made from any tribal funds in the Treasury to the credit of the Flathead Indians, the allotments to be made from any available tribal unallotted lands of the Flathead Reservation.

Approved, March 3, 1933.

March 3, 1933.
[S. 4390.]
47 Stat., 1754.

CHAP. 263.—An Act Authorizing the Secretary of the Interior to cancel patent in fee issued to Henry J. Kirn and Louise H. Kirn

Henry J. and Louise H. Kirn.
Exchange of land patent authorized.

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 hereby authorized, in his discretion, and upon application of Henry J. Kirn and Louise H. Kirn, to cancel fee simple patent issued to them for the southwest quarter of northeast quarter section 12, township 30 north, range 50 east, principal meridian, Montana, containing forty acres, and to cause a new trust patent to be issued to them covering the same land, of the form and legal effect as provided by the Act of February 8, 1887 (24 Stat. 388), and amendments thereto, such patent to be effective from the date of the original trust patent, and the land shall be subject to extensions of the trust made by Executive order on other allotments of members of the same tribe: *Provided*, That nothing in this Act shall be construed to affect in any way the vested interests of anyone other than the persons named herein.

24 Stat., 388, vol. 1, 33.

Proviso.
Vested interests.

Approvel, March 3, 1933.

March 3, 1933.
[S. 4510.]
47 Stat., 1755.

CHAP. 264.—An Act To authorize exchange of small tribal acreage on the Fort Hall Indian school reserve in Idaho for adjoining land

Fort Hall Indian Reservation, Idaho.
Exchange of land, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to arrange and effect an even exchange with the owner of the west half southeast quarter northeast quarter section 2, township 5 south, range 34 east, Boise meridian, in Idaho, former irrigable allotment Numbered 175 on the Fort Hall Indian Reservation, in Idaho, in which the United States will acquire, in trust for the Fort Hall Indians, title to that part of the twenty acres above described lying east of the right of way of the Oregon Short Line Railroad, in consideration for a deed from the said Secretary of the Interior, which he is hereby authorized to execute, for that part of the west half northeast quarter southeast quarter said section 2 lying west of the said Oregon Short Line Railroad right of way, subject to all existing rights of way.

Approved, March 3, 1933.

March 3, 1933.
[S. 4557.]
47 Stat., 1755.

CHAP. 265.—An Act To authorize the addition of certain names to the final roll of the Sac and Fox Indians of Oklahoma

Sac and Fox Indians, Okla.
Certain names added roll of.
40 Stat. 591, vol. 4, 177; 41 Stat., 9, vol. 4, 200.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to add to the final roll of the Sac and Fox Indians of Oklahoma, approved October 10, 1923, under the Acts of May 25, 1918 (40 Stat. L. 591), and June 30, 1919 (41 Stat. L. 9), the names of Stella Mae Wood, Ethelyn Gladys Wood, and Vernon Pequano, recognized members of the tribe living on the effective date of the roll, but whose names were omitted therefrom through error.

Approved, March 3, 1933.

CHAP. 316.—An Act For the relief of Clive Sprouse and Robert F. Moore

March 4, 1933.
[H. R. 10756.]
47 Stat., 1768.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the homestead entries of Clive Sprouse (Salt Lake City serial 046562) and Robert F. Moore (Salt Lake City serial 048376), embracing land within the former Uintah Indian Reservation, are hereby validated.

Clive Sprouse and Robert F. Moore.
Homestead entries validated.

Approved, March 4, 1933.

PUBLIC ACTS OF THE SEVENTY-THIRD CONGRESS, FIRST SESSION, 1933

CHAP. 42.—An Act Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1933, and June 30, 1934, and for other purposes

May 29, 1933.
[H. R. 5390.]
48 Stat., 97.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1933, and June 30, 1934, and for other purposes, namely:

Third Deficiency Act, fiscal year 1933.

* * * * * * *

DEPARTMENT OF THE INTERIOR

Interior Department.

BUREAU OF INDIAN AFFAIRS

Indian Affairs Bureau.

Eradication of scabies, Truxton Canyon Reservation, Arizona (tribal funds): For assisting in the eradication of scabies in livestock of the Indians of the Truxton Canyon Reservation, Arizona, fiscal years 1933 and 1934, $10,000, payable from tribal funds on deposit to the credit of said Indians.

Truxton Canyon Reservation, Ariz.
Eradicating scabies in livestock.
From tribal funds.

Attorney's Fees and Expenses, Menominee Tribe, Wisconsin (tribal funds): The unexpended balance of the $20,000 of Menominee tribal funds authorized to be expended by the Act of March 2, 1931 (46 Stat., p. 1468), for employment of attorneys to formulate any claims the Menominee Tribe might have against the Government of the United States, and for expenses of such attorneys in connection with their services, is hereby continued available for the same purposes until June 30, 1934.

Menominee Indians, Wis.
Attorneys.
46 Stat., 1468; ante, 234.

* * * * * * *

AUDITED CLAIMS

Audited claims.

SEC. 4. For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1930 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), in the schedules transmitted to the Seventy-third Congress, first session, by the President of the United States in a communication to the President of the Senate, dated May 8, 1933, there is appropriated as follows:

Payment of.

18 Stat., 110.
U. S. C., p. 1022.

23 Stat., 254.
U. S. C., p. 43.

* * * * * * *

Department of the Interior.

DEPARTMENT OF THE INTERIOR

For conservation of health among Indians, $75.

For pay of Indian police, $43.78.

* * * * * * *

Approved, May 29, 1933.

May 29, 1933.
[S. 73.]
48 Stat., 105.

CHAP. 43.—An Act To authorize the Comptroller General to allow claim of district numbered 13, Choctaw County, Oklahoma, for payment of tuition for Indian pupils

Choctaw County, Okla.
Claim of, for tuition of Indians, allowed.
Appropriation available.
46 Stat., 293; ante, 157.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General is hereby authorized and directed to allow payment of claims of the public school district numbered 13, Choctaw County, Oklahoma, for tuition of Indian pupils during the fiscal year 1931, in the sum not to exceed $3,435.61 from the appropriation entitled "Indian Schools, Five Civilized Tribes, Oklahoma, 1931."

Approved, May 29, 1933.

May 31, 1933.
[H. R. 4014.]
48 Stat., 108.

CHAP. 45.—An Act To authorize appropriations to pay in part the liability of the United States to the Indian pueblos herein named, under the terms of the Act of June 7, 1924, and the liability of the United States to non-Indian claimants on Indian pueblo grants whose claims, extinguished under the Act of June 7, 1924, have been found by the Pueblo Lands Board to have been claims in good faith; to authorize the expenditure by the Secretary of the Interior of the sums herein authorized and of sums heretofore appropriated, in conformity with the Act of June 7, 1924, for the purchase of needed lands and water rights and the creation of other permanent economic improvements as contemplated by said Act; to provide for the protection of the watershed within the Carson National Forest for the Pueblo de Taos Indians of New Mexico and others interested, and to authorize the Secretary of Agriculture to contract relating thereto and to amend the Act approved June 7, 1924, in certain respects

Indian pueblos in New Mexico.
Payments authorized, in annual installments, United States' liability to pueblos designated.
43 Stat., 636, vol. 4, 454; ante, 96; post, 341.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in fulfillment of the Act of June 7, 1924 (43 Stat. 636), there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sums hereinafter set forth, in compensation to the several Indian pueblos hereinafter named, in payment of the liability of the United States to the said pueblos as declared by the Act of June 7, 1924, which appropriations shall be made in equal annual installments as hereinafter specified, and shall be deposited in the Treasury of the United States and shall be expended by the Secretary of the Interior, subject to approval of the governing authorities of each pueblo in question, at such times and in such amounts as he may deem wise and proper; for the purchase of lands and water rights to replace those which have been divested from said pueblo under the Act of June 7, 1924, or for the purchase or construction of reservoirs, irrigation works, or other permanent improvements upon or for the benefit of the lands of said pueblos.

To be expended in purchasing lands and water rights, to replace those divested from said pueblos.

For construction, etc., of reservoirs, etc.

Sums supplemental to awards by Pueblo Lands Board.

SEC. 2. In addition to the awards made by the Pueblo Lands Board, the following sums, to be used as directed in section 1 of this Act, and in conformity with the Act of June 7, 1924, be, and hereby are, authorized to be appropriated:

Pueblos enumerated.

Pueblo of Jemez, $1,885; pueblo of Nambe, $47,439.50; pueblo of Taos, $84,707.09; pueblo of Santa Ana, $2,908.38; pueblo of Santo Domingo, $4,256.56; pueblo of Sandia, $12,980.62; pueblo of San Felipe, $14,954.53; pueblo of Isleta, $47,751.31; pueblo of Picuris, $66,574.40; pueblo of San Ildefonso, $37,058.28; pueblo of San Juan,

$153,863.04; pueblo of Santa Clara, $181,114.19; pueblo of Cochiti, $37,826.37; pueblo of Pojoaques, $68,562.61; in all, $761,954.88: *Provided, however*, That the Secretary of the Interior shall report back to Congress any errors or omissions in the foregoing authorizations measured by the present fair market value of the lands involved, as heretofore determined by the appraisals of said tracts by the appraisers appointed by the Pueblo Lands Board, with evidence supporting his report and recommendations.

Proviso. Errors, etc., to be reported.

SEC. 3. Pursuant to the aforesaid Act of June 7, 1924, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sum to compensate white settlers or non-Indian claimants who have been found by the Pueblo Lands Board, created under said Act of June 7, 1924, to have occupied and claimed land in good faith but whose claim has not been sustained and whose occupation has been terminated under said Act of June 7, 1924, for the fair market value of lands, improvements appurtenant thereto, and water rights. The non-Indian claimants, or their successors, as found and reported by said Pueblo Lands Board, to be compensated out of said appropriations to be disbursed under the direction of the Secretary of the Interior in the amounts due them as appraised by the appraisers appointed by said Pueblo Lands Board, as follows:

Appropriation authorized for non-Indian claimants for lands dispossessed.

Within the pueblo of Tesuque, $1,094.64; within the pueblo of Nambe, $19,393.59; within the pueblo of Taos, $14,064.57; within the Tenorio Tract, Taos Pueblo, $43,165.26; within the pueblo of Santa Ana (El Ranchito grant), $846.26; within the pueblo of Santa Domingo, $66; within the pueblo of Sandia, $5,354.46; within the pueblo of San Felipe, $16,424.68; within the pueblo of Isleta, $6,624.45; within the pueblo of Picuris, $11,464.73; within the pueblo of San Ildefonso, $16,209.13; within the pueblo of San Juan, $19,938,22; within the pueblo of Santa Clara, $35,350.88; within the pueblo of Cochiti, $9,653.81; within the pueblo of Pojoaque, $1,767.26; with the pueblo of Laguna, $30,668.87; in all, $232,086.80: *Provided, however*, That the Secretary of the Interior shall report back to Congress any errors in the amount of award measured by the present fair market value of the lands involved and any errors in the omissions of legitimate claimants for award, with evidence supporting his report and recommendations.

Pueblos designated.

Proviso. Errors, etc., to be reported.

SEC. 4. That for the purpose of safeguarding the interests and welfare of the tribe of Indians known as the Pueblo de Taos of New Mexico in the certain lands hereinafter described, upon which lands said Indians depend for water supply, forage for their domestic livestock, wood and timber for their personal use and as the scene of certain of their religious ceremonials, the Secretary of Agriculture may and he hereby is authorized and directed to designate and segregate said lands, which shall not thereafter be subject to entry under the land laws of the United States, and to thereafter grant to said Pueblo de Taos, upon application of the governor and council thereof, a permit to occupy said lands and use the resources thereof for the personal use and benefit of said tribe of Indians for a period of fifty years, with provision for subsequent renewals if the use and occupancy by said tribe of Indians shall continue, the provisions of the permit are met, and the continued protection of the watershed is required by public interest. Such permit shall specifically provide for and safeguard all rights and equities hitherto established and enjoyed by said tribe of Indians under any contracts or agreements hitherto existing, shall authorize the free use of wood, forage, and lands for the personal or tribal needs of said Indians, shall define the conditions under which natural resources under the control of the Department of Agriculture not needed by said Indians shall be made available for commercial use by the Indians or

Pueblo de Taos. Certain lands to be segregated for benefit of Indians.

Established rights, etc., safeguarded.

Natural resources, not needed, available for commercial use.

Supervision.

others, and shall establish necessary and proper safeguards for the efficient supervision and operation of the area for national forest purposes and all other purposes herein stated, the area referred to being described as follows:

Area described.

Beginning at the northeast corner of the Pueblo de Taos grant, thence northeasterly along the divide between Rio Pueblo de Taos and Rio Lucero and along the divide between Rio Pueblo de Taos and Red River to a point a half mile east of Rio Pueblo de Taos; thence southwesterly on a line half mile east of Rio Pueblo de Taos and parallel thereto to the northwest corner of township 25 north, range 15 east; thence south on the west boundary of township 25 north, range 15 east, to the divide between Rio Pueblo de Taos and Rio Fernandez de Taos; thence westerly along the divide to the east boundary of the Pueblo de Taos grant; thence north to the point of beginning; containing approximately thirty thousand acres, more or less.

Protection of purchases, etc.

SEC. 5. Except as otherwise provided herein the Secretary of the Interior shall disburse and expend the amounts of money herein authorized to be appropriated, in accordance with and under the terms and conditions of the Act approved June 7, 1924: *Provided, however*, That the Secretary be authorized to cause necessary surveys and investigations to be made promptly to ascertain the lands and water rights that can be purchased out of the foregoing appropriations and earlier appropriations made for the same purpose, with full authority to disburse said funds in the purchase of said lands and water rights without being limited to the appraised values thereof as fixed by the appraisers appointed by the Pueblo Lands Board appointed under said Act of June 7, 1924, and all prior Acts limiting the Secretary of the Interior in the disbursement of said funds to the appraised value of said lands as fixed by said appraisers of said Pueblo Lands Board be, and the same are, expressly repealed: *Provided further*, That the Secretary of the Interior be, and he is hereby, authorized to disburse a portion of said funds for the purpose of securing options upon said lands and water rights and necessary abstracts of title thereof for the necessary period required to investigate titles and which may be required before disbursement can be authorized: *Provided further*, That the Secretary of the Interior be, and he is hereby, authorized, out of the appropriations of the foregoing amounts and out of the funds heretofore appropriated for the same purpose, to purchase any available lands within the several pueblos which in his discretion it is desirable to purchase, without waiting for the issuance of final patents directed to be issued under the provisions of the Act of June 7, 1924, where the right of said pueblos to bring independent suits, under the provisions of the Act of June 7, 1924, has expired: *Provided further*, That the Secretary of the Interior shall not make any expenditures out of the pueblo funds resulting from the appropriations set forth herein, or prior appropriations for the same purpose, without first obtaining the approval of the governing authorities of the pueblo affected: *And provided further*, That the governing authorities of any pueblo may initiate matters pertaining to the purchase of lands in behalf of their respective pueblos, which matters, or contracts relative thereto, will not be binding or concluded until approved by the Secretary of the Interior.

Provisos.
Surveys and investigations to be made.

Purchases not limited to appraised values.

Securing options, abstracts of title, etc.

Purchase of available lands before issue of final patents in certain cases.

Disbursements subject to approval of pueblo affected.

Initiating land purchases by pueblo.

Right to prosecute independent suits not abridged.
43 Stat., 637, vol. 4, 455.

SEC. 6. Nothing in this Act shall be construed to prevent any pueblo from prosecuting independent suits as authorized under section 4 of the Act of June 7, 1924. The Secretary of the Interior is authorized to enter into contract with the several Pueblo Indian tribes, affected by the terms of this Act, in consideration of the authorization of ap-

propriations contained in section 2 hereof, providing for the dismissal of pending and the abandonment of contemplated original proceedings, in law or equity, by, or in behalf of said Pueblo Indian tribes, under the provisions of section 4 of the Act of June 7, 1924 (43 Stat. L. 636), and the pueblo concerned may elect to accept the appropriations herein authorized, in the sums herein set forth, in full discharge of all claims to compensation under the terms of said Act, notifying the Secretary of the Interior in writing of its election so to do: *Provided*, That if said election by said pueblo be not made, said pueblo shall have one year from the date of the approval of this Act within which to file any independent suit authorized under section 4 of the Act of June 7, 1924, at the expiration of which period the right to file such suit shall expire by limitation: *And provided further*, That no ejectment suits shall be filed against non-Indians entitled to compensation under this Act, in less than six months after the sums herein authorized are appropriated.

Pueblo may elect to accept authorized compensation.

Provisos.
Independent suits. Filing if election not made.

Ejectment suits against non-Indians.

SEC. 7. Section 16 of the Act approved June 7, 1924, is hereby amended to read as follows:

43 Stat., 641, amended, vol. 4, 460.

"SEC. 16. That if the Secretary of the Interior deems it to be for the best interest of the Indians that any land adjudged by the court or said Lands Board against any claimant be sold, he may, with the consent of the governing authorities of the pueblo, order the sale thereof, under such regulations as he may make, to the highest bidder for cash; and if the buyer thereof be other than the losing claimant, the purchase price shall be used in paying to such losing claimant the adjudicated value of the improvements aforesaid, if found under the provisions of section 15 hereof, and the balance thereof, if any, shall be paid over to the proper officer, or officers, of the Indian community, but if the buyer be the losing claimant, and the value of his improvements has been adjudicated as aforesaid, such buyer shall be entitled to have credit upon his bid for the value of such improvements so adjudicated."

Lands recovered from non-Indians may be resold.

SEC. 8. The attorney or attorneys for such Indian tribe or tribes shall be paid such fee as may be agreed upon by such attorney or attorneys and such Indian tribe or tribes, but in no case shall the fee be more than 10 per centum of the sum herein authorized to be appropriated for the benefit of such tribe or tribes, and such attorney's fees shall be disbursed by the Secretary of the Interior in accordance herewith out of any funds appropriated for said Indian tribe or tribes under the provisions of the Act of June 7, 1924 (43 Stat. L. 636), or this Act: *Provided however*, That 25 per centum of the amount agreed upon as attorneys' fees shall be retained by the Secretary of the Interior to be disbursed by him under the terms of the contract, subject to approval of the Secretary of the Interior, between said attorneys and said Indian tribes, providing for further services and expenses of said attorneys in furtherance of the objects set forth in section 19 of the Act of June 7, 1924.

Attorneys' fees.

Limitation.

Proviso.
Future services.

SEC. 9. Nothing herein contained shall in any manner be construed to deprive any of the Pueblo Indians of a prior right to the use of water from streams running through or bordering on their respective pueblos for domestic, stock-water, and irrigation purposes for the lands remaining in Indian ownership, and such water rights shall not be subject to loss by nonuse or abandonment thereof as long as title to said lands shall remain in the Indians.

Water rights not subject to loss through nonuse, etc.

SEC. 10. The sums authorized to be appropriated under the terms and provisions of section 2 of this Act shall be appropriated in three annual installments, beginning with the fiscal year 1937.

Compensation to be made in three annual installments.

Approved, May 31, 1933.

June 3, 1933.
[H. R. 4494.]
48 Stat., 112.

CHAP. 46.—An Act Authorizing a per capita payment of $100 to the members of the Menominee Tribe of Indians of Wisconsin from funds on deposit to their credit in the Treasury of the United States

Menominee Indians of Wisconsin.
Per capita payments to, from tribal funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to withdraw from the fund in the Treasury of the United States on deposit to the credit of the Menominee Indians in the State of Wisconsin a sufficient sum to make therefrom a per capita payment or distribution of $100, in three installments, $50 immediately upon passage of this Act, $25 on or about October 15, 1933, and $25 on or about January 15, 1934, to each of the living members on the tribal roll of the Menominee Tribe of Indians of the State of Wisconsin, under such rules and regulations as the said Secretary may prescribe.

Approved, June 3, 1933.

June 15, 1933.
[S. 594.]
48 Stat., 146.

CHAP. 76.—An Act Providing for per capita payments to the Seminole Indians in Oklahoma from funds standing to their credit in the Treasury

Seminole Indians, Okla.
Per capita payments to, from tribal funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to pay to the enrolled members of the Seminole Tribe of Indians of Oklahoma entitled under existing law to share in the funds of said tribe, or to their lawful heirs, out of any money belonging to said tribe in the United States Treasury or deposited in any bank or held by an official under the jurisdiction of the Secretary of the Interior, not to exceed $35 per capita: *Provided*, That said payment shall be made under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That in cases where such enrolled members, or their heirs, are Indians who belong to the restricted class, the Secretary of the Interior may, in his discretion, withhold such payments and use the same for the benefit of such restricted Indians: *Provided further*, That the money paid to the enrolled members or their heirs as provided herein shall be exempt from any lien for attorneys' fees or other debt contracted prior to the passage of this Act: *And provided further*, That the Secretary of the Interior is hereby authorized to use not to exceed $2,000 out of said Seminole tribal funds for the payment of salaries of necessary employees and other expenses for the distribution of said per capita payments.

Provisos.
Rules, etc., for.
Restricted Indians.

Exempt from prior debts.

Expenses of distribution.

Approved, June 15, 1933.

June 16, 1933.
[S. 1561.]
48 Stat., 254.

CHAP. 95.—An Act Providing for payment of $50 to each enrolled Chippewa Indian of the Red Lake Band of Minnesota from the timber funds standing to their credit in the Treasury of the United States

Red Lake Band of Chippewa Indians.

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 and directed to withdraw from the Treasury so much as may be necessary of the principal timber fund on deposit to the credit of the Red Lake Band of the Chippewa Indians of the State of Minnesota and to make therefrom payment of $50, in two equal installments of $25 each, one as soon as practicable after the passage of this Act, and one on or about December 1, 1933, to each enrolled Chippewa Indian of the Red Lake Band of Minnesota, under such regulations as such Secretary shall prescribe. No payment shall be made under this Act until the Chippewa Indians of the Red Lake Band of Minnesota shall, in

Per capita payment to, from tribal funds.

such manner as such Secretary shall prescribe, have accepted such payments and ratified the provisions of this Act. The money paid to the Indians under this Act shall not be subject to any lien or claim of whatever nature against any of said Indians, except that not to exceed 15 per centum of each installment may be deducted to apply toward individual obligations due the United States or the Red Lake Band of Chippewa Indians.

Acceptance, etc.

Payments not subject to any lien, etc.

Approved, June 16, 1933, 12:57 p. m.

CHAP. 100.—An Act Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1933, and June 30, 1934, and for other purposes

June 16, 1933.
[H. R. 6034.]
48 Stat., 274.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1933, and June 30, 1934, and for other purposes, namely:

Fourth Deficiency Act, fiscal year 1933.

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DEPARTMENT OF THE INTERIOR

Interior Department.

* * * * * * *

BUREAU OF INDIAN AFFAIRS

Bureau of Indian Affairs.

Sequoyah Orphan Training School, Tahlequah, Oklahoma: The unexpended balances of appropriations available during the fiscal year 1933 for the construction of physical improvements at the Sequoyah Indian Orphan Training School, near Tahlequah, Oklahoma, are hereby continued available for use during the fiscal year 1934.

Sequoyah Orphan Training School.
Balance available.
47 Stat., 106; ante, 269.

Compensation to non-Indian claimants, Pueblo Indian Lands, New Mexico: For carrying out the provisions of the Act of May 31, 1933, in settlement of the liability of the United States to non-Indian claimants on Indian Pueblo grants whose claims, extinguished under the Act of June 7, 1924, have been found by the Pueblo Lands Board to have been claims in good faith, fiscal year 1933, $232,086.80, to remain available until June 30, 1934, and to be apportioned to claimants within the several Pueblos as follows: Tesuque, $1,094.63; Nambe, $19,393.59; Taos, $14,064.57; Tenorio Tract, Taos Pueblo, $43,165.26; Santa Ana (El Ranchito grant), $846.26; Santo Domingo, $66; Sandia, $5,354.46; San Filipe, $16,424.68; Isleta, $6,624.45; Picuris, $11,464.73; San Ildefonso, $16,209.13; San Juan, $19,938.22; Santa Clara, $35,350.88; Cochiti, $9,653.81; Pojoaque, $1,767.26; Laguna, $30,668.87.

New Mexico, pueblos.
Compensation to non-Indian claimants.
Ante, 336.
43 Stat., 636, vol. 4, 454.

* * * * * * *

AUDITED CLAIMS

Audited claims.

SEC. 4. For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for

Payment of.

18 Stat., 110.
U. S. C., p. 1022.

23 Stat., 254.
U. S. C., p. 43.

the service of the fiscal year 1930 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), in the schedule transmitted to the Seventy-third Congress, first session, by the President of the United States in a communication to the Speaker of the House of Representatives, dated June 9, 1933, there is appropriated as follows:

Department of the Interior.

* * * * * * *

DEPARTMENT OF THE INTERIOR

For conservation of health among Indians, $33.

* * * * * * *

Approved, June 16, 1933.

June 16, 1933.
[H. R. 5389.]
48 Stat., 283.

CHAP. 101.—An Act Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1934, and for other purposes

Independent Offices Appropriation Act, 1934.

Appropriation for fiscal year ending June 30, 1934.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1934, namely:

* * * * * * *

Smithsonian Institution.

SMITHSONIAN INSTITUTION

* * * * * * *

American ethnology.

American ethnology: For continuing ethnological researches among the American Indians and the natives of Hawaii, the excavation and preservation of archæologic remains under the direction of the Smithsonian Institution, including necessary employees, the preparation of manuscripts, drawings, and illustrations, the purchase of books and periodicals, and traveling expenses, $50,000.

* * * * * * *

Approved, June 16, 1933.

June 16, 1933.
[S. 1513.]
48 Stat., 311.

CHAP. 104.—An Act To amend Public Act Numbered 435 of the Seventy-second Congress, relating to sales of timber on Indian land

Timber sales, Indian lands.
Terms of existing contracts may be modified with consent of Indians.
47 Stat., 1568; ante, 329.
Provisos.
Klamath Indian Reservation, Oreg., excluded from provisions herein.
Time limitation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Act Numbered 435 of the Seventy-second Congress entitled "An Act to authorize the Secretary of the Interior to modify the terms of existing contracts for the sale of timber on Indian land when it is in the interest of the Indians so to do" is hereby amended by adding to the first section thereof the following proviso: "*Provided*, That the restrictions as to reducing prices below the basic sales prices shall not apply to the Klamath Indian Reservation in Oregon: *And provided further*, That the authority granted herein shall terminate one year from the date of enactment of this Act."

Approved, June 16, 1933, 5 p. m.

PRIVATE ACTS OF THE SEVENTY-THIRD CONGRESS, FIRST SESSION, 1933

CHAP. 9.—An Act For the relief of the Holy Family Hospital, Saint Ignatius, Montana

March 24, 1933.
[S. 151.]
48 Stat., 1296.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay to the Holy Family Hospital, Saint Ignatius, Montana, out of any money in the Treasury not otherwise appropriated, the sum of $8,825.66, in full satisfaction of all claims against the United States for compensation for the care by such hospital of persons admitted thereto under authority of the Flathead Indian Agency, State of Montana, prior to and including November 30, 1931: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Holy Family Hospital, Saint Ignatius, Mont.

Compensation for professional care.

Proviso.
Limitation on attorney's fees.

Penalty for violation.

Approved, March 24, 1933.

PUBLIC ACTS OF THE SEVENTY-THIRD CONGRESS, SECOND SESSION, 1934

CHAP. 15.—An Act Granting certain property to the State of Michigan for institutional purposes

February 19, 1934.
[S. 2152.]
48 Stat., 353.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby granted to the State of Michigan for institutional purposes the property known and designated as the "Mount Pleasant Indian School", located at Mount Pleasant, Michigan, such grant to include the land and buildings and such equipment as may be designated by the Secretary of the Interior: *Provided*, That this grant shall be effective at any time prior to July 1, 1934, if, before that date, the Governor of the State of Michigan on behalf of the State files an acceptance thereof with the Secretary of the Interior: *Provided further*, That right is reserved by the Secretary of the Interior to retain until July 1, 1934, dormitory and other space needed for the housing and care of Indian pupils now accommodated at said school: *Provided further*, That as a condition precedent to this grant Indians resident within the State of Michigan will be accepted in State institutions on entire equality with persons of other races, and without cost to the Federal Government.

Mount Pleasant Indian School.
Conveyance of property of, to Michigan, for institutional purposes.

Provisos.
Date of acceptance.

Reservation.

Admittance of Indians into State institutions.

Approved, February 19, 1934.

March 2, 1934.
[H. R. 6951.]
48 Stat., 362.

CHAP. 38.—An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1935, and for other purposes

Interior Department appropriations, fiscal year 1935.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1935, namely:

Secretary's office.

OFFICE OF THE SECRETARY

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CONTINGENT EXPENSES, DEPARTMENT OF THE INTERIOR

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Professional, etc., books, periodicals, etc.

For the purchase or exchange of professional and scientific books, law and medical books, and books to complete broken sets, periodicals, directories, and other books of reference relating to the business of the department, $500, and in addition there is hereby made available from any appropriations made for any bureau or office of the department not to exceed the following respective sums: Indian Service, $500; Office of Education, $1,800; Bureau of Reclamation, $2,000; Geological Survey, $2,000; Office of National Parks, Buildings, and Reservations, $2,000; General Land Office, $500.

Allotments.

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Indian Affairs Bureau.

BUREAU OF INDIAN AFFAIRS

SALARIES

Commissioner, and office personnel.

For the Commissioner of Indian Affairs and other personal services in the District of Columbia, $340,075.

General expenses.

GENERAL EXPENSES

Transportation, etc.

For transportation and incidental expenses of officers and clerks of the Bureau of Indian Affairs when traveling on official duty; for telegraph and telephone toll messages on business pertaining to the Indian Service sent and received by the Bureau of Indian Affairs at Washington, and for other necessary expenses of the Indian Service for which no other appropriation is available, $18,500.

Supplies; purchase, transportation, etc.

For advertising, inspection, storage, and all other expenses incident to the purchase of goods and supplies for the Indian Service and for payment of railroad, pipe line, and other transportation costs of such goods and supplies, $643,900: *Provided*, That no part of this appropriation shall be used in payment for any services except bill therefor is rendered within one year from the time the service is performed.

Proviso.
Limitation on payments.

Field representatives.

For salaries, traveling and incidental expenses of field representatives of the Commissioner of Indian Affairs, $12,080.

Judges.

For pay of judges of Indian courts where tribal relations now exist, at rates to be fixed by the Commissioner of Indian Affairs, $13,500.

Police.

For pay and expenses of Indian police, including chiefs of police at not to exceed $70 per month each and privates at not to exceed $50 per month each, to be employed in maintaining order, and for purchase of equipment and supplies, $105,650.

Suppressing liquor traffic, etc.

For the suppression of the traffic in intoxicating liquors and deleterious drugs, including peyote, among Indians, $47,200.

For lease, purchase, repair, and improvement of agency buildings, exclusive of hospital buildings, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $144,110.

Agency buildings.
Lease, purchase, repair, etc.

Vehicles, Indian Service: Not to exceed $275,000 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for the use of employees in the Indian field service, including the transportation of Indian school pupils: *Provided*, That not to exceed $150,000 may be used for the purchase and exchange of motor-propelled passenger-carrying vehicles, and that such vehicles shall be used only for official service, including the transportation of Indian school pupils.

Vehicles.
Maintenance, etc.

Proviso.
Limitation; transporting pupils.

Replacement of property destroyed by fire, flood, or storm: That to meet possible emergencies not exceeding $50,000 of the appropriations made by this Act for support of reservation and nonreservation schools, for school and agency buildings, and for conservation of health among Indians shall be available, upon approval of the Secretary of the Interior, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Indian Service above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: *Provided*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Emergency allowance, by diversion from specified appropriations, for property damages.

Proviso.
Report to Congress.

Authorization for attending health and educational meetings: Not to exceed $7,000 shall be available from applicable funds for expenses (not membership fees) of employees of the Indian Service when authorized by the Secretary of the Interior to attend meetings of medical, health, educational, agricultural, forestry, engineering, and industrial associations in the interest of work among the Indians.

Attendance at meetings.

INDIAN LANDS

Indian lands.

Purchase of land and water rights, and so forth, Pueblo Indians, New Mexico (tribal funds): The unexpended balances of appropriations heretofore made, from the trust funds of the several pueblos, for the purchase of land and water rights, purchase of equipment for industrial advancement and fencing, irrigating, and improving lands, are hereby continued available for the same purposes until June 30, 1935.

Pueblo Indians, N. Mex.
Land and water rights
Sums reappropriated.

47 Stat., 825; ante, 308.

Purchase of land for Navajo Indians (tribal funds): For purchase, or lease pending purchase, of additional land and water rights for the use and benefit of Indians of the Navajo Tribe as authorized to be acquired by the Act of May 29, 1928 (45 Stat., p. 899), $50,000, payable from funds on deposit to the credit of the Navajo Tribe: *Provided*, That title to all such lands so purchased shall be taken in the name of the United States in trust for the Navajo Tribe, and in purchasing such lands title may be taken, in the discretion of the Secretary of the Interior, for the surface only.

Navajo Indians.
Additional land and water rights.

45 Stat., 899, 1569; ante, 59, 99.

Proviso.
Title for surface only.

The unexpended balance of the appropriation of $109,746.25 contained in the First Deficiency Act, fiscal year 1930, for payment to the loyal Shawnee Indians in settlement of their claim arising under the twelfth article of the treaty with said Indians proclaimed October 14, 1868 (15 Stat., p. 513), as authorized by and in accordance with the Act of March 4, 1929, and continued available until June 30, 1934, is hereby continued available until June 30, 1935.

Loyal Shawnee Indians, Okla.
Balance reappropriated.

45 Stat., 1550; ante, 92; 47 Stat., 826, 96; ante, 308, 260.
15 Stat., 516, vol. 2, 962; 46 Stat., 105, ante, 137.

Kiowas, etc., Okla. Payment to, from royalty funds. 44 Stat., 740, vol. 4, 558.

Payment to Kiowa, Comanche, and Apache Indians, Oklahoma (tribal funds): For payment to the Kiowa, Comanche, and Apache Indians, of Oklahoma, under such rules and regulations as the Secretary of the Interior may prescribe, $50,000 payable from funds on deposit to the credit of said Indians.

Industrial assistance and advancement.

INDUSTRIAL ASSISTANCE AND ADVANCEMENT

Timber preservation, etc. Forestry schools.

For the preservation of timber on Indian reservations and allotments other than the Menominee Indian Reservation in Wisconsin, the education of Indians in the proper care of forests, including not to exceed $5,000 for the education of Indian pupils in forestry schools, and the general administration of forestry and grazing work, including fire prevention and payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires in contravention of law on Indian lands, $183,510: *Provided*, That this appropriation shall be available for the expenses of administration of Indian forest lands from which timber is sold to the extent only that proceeds from the sales of timber from such lands are insufficient for that purpose.

Proviso. Administration of forest lands, from timber sales, etc.

Timber sales, etc.; reimbursable.

For expenses incidental to the sale of timber, and for the expenses of administration, including fire prevention, of Indian forest lands from which such timber is sold to the extent that the proceeds of such sales are sufficient for that purpose, $92,000, reimbursable to the United States as provided in the Act of February 14, 1920 (U. S. C., title 25, sec. 413): *Provided*, That this appropriation shall be available for the payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires in contravention of law.

41 Stat., 415, vol. 4, 238. *Proviso.* Rewards for information.

Klamath Reservation, Oreg. Forest insect control.

Insect control work, Klamath Indian Reservation, Oregon (tribal funds): For continuation of forest insect control work on the Klamath Indian Reservation in Oregon, $10,000, payable from funds on deposit in the Treasury to the credit of the Klamath Indians.

Emergency, forest-fire suppression.

For the suppression or emergency prevention of forest fires on or threatening Indian reservations, $20,000, together with $25,000 from funds held by the United States in trust for the respective tribes of Indians interested: *Provided*, That not to exceed $50,000 of appropriations herein made for timber operations and for support and administration purposes may be transferred, upon the approval of the Secretary of the Interior, for fire suppression or emergency prevention purposes, and allotments of funds so transferred shall be made by the Secretary of the Interior only after the obligation for the expenditure has been incurred: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Provisos. Additional sums available. Limitation.

Report to Congress.

Geological Survey. Supervising mining operations.

For transfer to the Geological Survey for expenditures to be made in inspecting mines and examining mineral deposits on Indian lands and in supervising mining operations on restricted, tribal, and allotted Indian lands leased under the provisions of the Acts of February 28, 1891 (26 Stat., p. 795), May 27, 1908 (35 Stat., p. 312), March 3, 1909 (U. S. C. title 25, sec. 396), and other Acts authorizing the leasing of such lands for mining purposes, $60,000.

26 Stat., 795, vol. 1, 57; 35 Stat., 312, 444, 783; vol. 3, 351, 356, 390, 444, 683. U. S. C., p. 717.

Employment of Indians.

For the purpose of obtaining remunerative employment for Indians, $37,150.

Developing agriculture and stock raising.

For the purpose of developing agriculture and stock raising among the Indians, including necessary personnel, traveling and other expenses, and purchase of supplies and equipment, $342,850, of which not to exceed $15,000 may be used to conduct agricultural experiments

and demonstrations on Indian school or agency farms and to maintain a supply of suitable plants or seed for issue to Indians.

Encouraging industry, etc.

For the purpose of encouraging industry and self-support among the Indians and to aid them in the culture of fruits, grains, and other crops, $325,000, which sum may be used for the purchase of seeds, animals, machinery, tools, implements, and other equipment necessary, and for advances to Indians having irrigable allotments to assist them in the development and cultivation thereof, in the discretion of the Secretary of the Interior, to enable Indians to become self-supporting: *Provided*, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1940, except in the case of loans on irrigable lands for permanent improvement of said lands, in which the period for repayment may run for not exceeding twenty years, in the discretion of the Secretary of the Interior: *Provided further*, That except for expenditures for the benefit of the Pima Indians, not to exceed $25,000 of the amount herein appropriated shall be expended on any other one reservation or for the benefit of any other one tribe of Indians: *Provided further*, That the Secretary of the Interior is hereby authorized, in his discretion and under such rules and regulations as he may prescribe, to make advances from this appropriation to old, disabled, or indigent Indian allottees, for their support, to remain a charge and lien against their lands until paid: *Provided further*, That advances may be made to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe.

Provisos.
Repayment.

Pima Indians, Ariz.

Advances to old, etc., allottees.

Educating Indian youths.

Reimbursable.

Industrial assistance (tribal funds): For the construction of homes for individual members of the tribes; the purchase for sale to them of seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support, and Indians having irrigable allotments to assist them in the development and cultivation thereof, the unexpended balances of funds available under this head in the Interior Department Appropriation Act for the fiscal year 1934, and the Act of June 27, 1932 (47 Stat., p. 335), are hereby continued available during the fiscal year 1935: *Provided*, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1940, except in the case of loans on irrigable lands for permanent improvement of said lands in which the period for repayment may run for not exceeding twenty years, in the discretion of the Secretary of the Interior, and advances to old, disabled, or indigent Indians for their support, which shall remain a charge and lien against their land until paid: *Provided further*, That advances may be made to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That all moneys reimbursed during the fiscal year 1935 shall be credited to the respective appropriations and be available for the purposes of this paragraph.

Industrial assistance; constructing homes, purchase of seed, equipment, etc.

Advances to old, etc., Indians.

Balances available.
47 Stat., 827, 335; ante, 310, 288.

Provisos.
Conditions for repayment.

Loans on irrigable lands.

Repayment of advances to young students.

Credits and availability.

Water supply.

DEVELOPMENT OF WATER SUPPLY

Developing, conserving, etc.

Developing water supply: For developing and conserving water for domestic and stock purposes on lands of the Navajo and Hopi Indians in Arizona and New Mexico, the Papago Indians in Arizona, and the Pueblo Indians of New Mexico, including the purchase and installation of pumping machinery, and other necessary equipment, and for operation and maintenance thereof, $52,810.

Irrigation and drainage.

IRRIGATION AND DRAINAGE

Construction, maintenance, etc.

For the construction, repair, and maintenance of irrigation systems, and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian reservations and allotments; for operation of irrigation systems or appurtenances thereto when no other funds are applicable or available for the purpose; for drainage and protection of irrigable lands from damage by floods or loss of water rights, upon the Indian irrigation projects named below, in not to exceed the following amounts, respectively:

Allotments.

Miscellaneous projects, $10,000; Arizona: AK Chin, $3,800; Chiu Chui, $3,800; Navajo and Hopi, miscellaneous projects, Arizona and New Mexico, $4,500; California: Coachella Valley, $1,000; Morongo, $3,500; Pala and Rincon, $2,000; Colorado: Southern Ute, $9,300; Nevada: Walker River, $6,300; Western Shoshone, $5,000; New Mexico: Zuni, $4,800; Washington: Colville, $4,000;

Administration expenses.

For necessary miscellaneous expenses incident to the general administration of Indian irrigation projects, including pay of employees and their traveling and incidental expenses, $72,000;

Reimbursable.
Provisos.
Sums interchangeable.

In all, for irrigation on Indian reservations, not to exceed $130,000, reimbursable: *Provided*, That the foregoing amounts shall be available interchangeably, in the discretion of the Secretary of the Interior, for the necessary expenditures for damages by floods and other unforeseen exigencies, but the mount so interchanged shall not exceed in the aggregate 10 per centum of all the amounts so appropriated: *Provided further*, That the cost of irrigation projects and of operating and maintaining such projects where reimbursement thereof is required by law shall be apportioned on a per acre basis against the lands under the respective projects and shall be collected by the Secretary of the Interior as required by such law, and any unpaid charges outstanding against such lands shall constitute a first lien thereon which shall be recited in any patent or instrument issued for such lands.

Limitation.

Apportioning costs on a per acre basis.

Unpaid charges a first lien.

San Carlos project, Ariz.
Operation, etc.

For operation and maintenance of the San Carlos project for the irrigation of Indian lands in the Gila River Indian Reservation, Arizona, $82,300, reimbursable.

Colorado River Reservation, Ariz.
Improvement, etc.
36 Stat., 273, vol. 3. 432.

For improvement, operation, and maintenance of the pumping plants and irrigation system on the Colorado River Indian Reservation, Arizona, as provided in the Act of April 4, 1910 (36 Stat., p. 273), $10,200, reimbursable.

Ganado project, Ariz., operation.

For operation and maintenance of the Ganado irrigation project, Arizona, $1,800, reimbursable.

San Carlos Reservation, Ariz.
Irrigating tribal lands.

Operation and maintenance, pumping plants, San Carlos Reservation, Arizona (tribal funds): For the operation and maintenance of pumping plants for the irrigation of lands on the San Carlos Reservation, in Arizona, $4,370, to be paid from the funds held by the United States in trust for the Indians of such reservation: *Provided*, That the sum so used shall be reimbursed to the tribe by the

Proviso.
Reimbursable.

Indians benefited, under such rules and regulations as the Secretary of the Interior may prescribe.

Yuma Reservation, Calif.-Ariz.
Reclamation, etc., charges.

For reclamation and maintenance charges on Indian lands within the Yuma Reservation, California, and on ten acres within each of the eleven Yuma homestead entries in Arizona under the Yuma reclamation project, $11,700, reimbursable.

Fort Hall project, Idaho, maintenance.

For improvements, maintenance, and operation of the Fort Hall irrigation system, Idaho, $22,500.

Fort Belknap Reservation, Mont.
Maintenance, etc.

For maintenance and operation, repairs, and purchase of stored waters, irrigation systems, Fort Belknap Reservation, Montana, $13,500, reimbursable.

Fort Peck project, Mont., maintenance.

For maintenance and operation of the Little Porcupine Division, the Big Porcupine Division, and not exceeding four thousand acres under the West Side Canal of the Poplar River Division, Fort Peck project, Montana, $6,500, reimbursable.

Flathead Reservation, Mont.
Maintenance, etc.

For operation and maintenance of the irrigation systems on the Flathead Indian Reservation, Montana, $11,000, reimbursable.

Crow Reservation, Mont.
Operating systems.

For improvement, maintenance, and operation of the irrigation systems on the Crow Reservation, Montana, including maintenance assessments payable to the Two Leggins Water Users' Association and Bozeman Trail Ditch Company, Montana, properly assessable against lands allotted to the Indians irrigable thereunder, $18,450, reimbursable.

Pyramid Lake Reservation, Nev.
Operation, etc.

For operation and maintenance of the irrigation system on the Pyramid Lake Reservation, Nevada, $2,750, reimbursable.

Newlands project, Nev.
Paying charges against Paiute lands.

For payment of annual installment of reclamation charges against Paiute Indian lands within the Newlands reclamation project, Nevada, $5,381; and for payment in advance, as provided by district law, of operation and maintenance assessments, including assessments for the operation of drains to the Truckee-Carson irrigation district, which district, under contract, is operating the Newlands reclamation project, $7,519, to be immediately available; in all, $12,900.

Laguna and Acoma Indians, N. Mex.
Maintenance, etc.

For operation and maintenance of the irrigation system for the Laguna and Acoma Indians in New Mexico, $2,325, reimbursable.

New Mexico, pueblos, flood damages.

For operation and maintenance of Hogback irrigation project on that part of the Navajo Reservation in New Mexico under the jurisdiction of the Northern Navajo Agency, $8,400, reimbursable.

Middle Rio Grande Conservancy District, N. Mex., expenses.

For salaries and all other expenses of the Government engineer and assistants appointed in pursuance to contract executed December 14, 1928, by the Secretary of the Interior with the Middle Rio Grande Conservancy District, $7,230.

Klamath Reservation, Oreg.
Maintenance, etc., of projects.

Irrigation systems, Klamath Reservation, Oregon (tribal funds): For improvements, maintenance, and operation of miscellaneous irrigation projects on the Klamath Reservation, $2,350, to be paid from the funds held by the United States in trust for the Klamath Indians in the State of Oregon, said sum, or such part thereof as may be used, to be reimbursed to the tribe under such rules and regulations as the Secretary of the Interior may prescribe.

From tribal funds; repayment.

Uintah Reservation, Utah.
Maintenance, etc.
34 Stat., 375, vol. 3, 242.

For continuing operation and maintenance and betterment of the irrigation system to irrigate allotted lands of the Uncompahgre, Uintah, and White River Utes in Utah, authorized under the Act of June 21, 1906 (34 Stat., p. 375), $23,000, reimbursable.

Yakima Reservation, Wash.
Toppenish - Simcoe unit.

For operation and maintenance, including repairs, of the Toppenish-Simcoe irrigation unit, on the Yakima Reservation, Washington, $800, reimbursable.

Water payments.

For reimbursement to the reclamation fund the proportionate expense of operation and maintenance of the reservoirs for furnishing

38 Stat., 604, vol. 4, 29.

stored water to the lands in Yakima Indian Reservation, Washington, in accordance with the provisions of section 22 of the Act of August 1, 1914 (38 Stat., p. 604), $9,000.

Wind River Reservation, Wyo., extensions.

For the extension of canals and laterals on the ceded portion of the Wind River Reservation, Wyoming, to provide for the irrigation of additional Indian lands, and for the Indians' pro rata share of the cost of the operation and maintenance of canals and laterals and for the Indians' pro rata share of the cost of the Big Bend drainage project on the ceded portion of that reservation, and for continuing the work of constructing an irrigation system within the diminished reservation, including the Big Wind River and Dry Creek Canals, and including the maintenance and operation of completed canals, $23,500, reimbursable.

Reimbursable.

Education.

EDUCATION

Support of schools.

For the support of Indian schools not otherwise provided for, and other educational and industrial purposes in connection therewith, including tuition for Indian pupils attending public schools, $3,831,450: *Provided*, That not to exceed $15,000 of this appropriation may be used for the support and education of deaf and dumb or blind, physically handicapped, or mentally deficient Indian children: *Provided further*, That $4,500 of this appropriation may be used for the education and civilization of the Alabama and Coushatta Indians in Texas: *Provided further*, That not more than $15,000 of the amount herein appropriated may be expended for the tuition of Indian pupils attending vocational or higher educational institutions, under such rules and regulations as the Secretary of the Interior may prescribe, but formal contracts shall not be required, for compliance with section 3744 of the Revised Statutes (U. S. C., title 41, sec. 16), for payment of tuition of Indian pupils attending public schools, higher educational institutions, or schools for the deaf and dumb, blind, physically handicapped, or mentally deficient.

Provisos.
Deaf, dumb, or blind.

Alabamas and Coushattas, Tex.

Tuition of Indian pupils in public schools.

No formal contracts.
R. S., sec. 3744, p. 738; U. S. C., p. 1310.

Support of schools, from tribal funds.
44 Stat., 560, vol. 4, 548.
U. S. C., Supp. VII. p. 493.

Support of Indian schools from tribal funds: For the support of Indian schools, and other educational and industrial purposes in connection therewith, other than among the Five Civilized Tribes, there shall be expended from Indian tribal funds and from school revenues arising under the Act of May 17, 1926 (U.S.C., Supp. VI, title 25, sec. 155a), not more than $509,550, including not to exceed $15,000 from trust funds of the Red Lake Indians; for tuition and other educational purposes in the Choctaw Nation, $40,000; for payment of tuition for Chippewa Indian children enrolled in the public schools of the State of Minnesota, $48,000, payable from the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota arising under section 7 of the Act of January 14, 1889 (25 Stat., p. 645); in all, $597,550.

Red Lake, Minn., school.
Five Civilized Tribes.

25 Stat., 645, vol. 1, 305.

Saint Louis Boarding School, Okla.
Osage pupils in.

Education, Osage Nation, Oklahoma (tribal funds): For the education of unallotted Osage Indian children in the Saint Louis Mission Boarding School, Oklahoma, $2,000, payable from funds held in trust by the United States for the Osage Tribe.

Summer schools, subsistence.

For subsistence of pupils retained in Government boarding schools of all classes during summer months, $45,000.

School transportation, etc.

For collection and transportation of pupils to and from Indian and public schools, and for placing school pupils, with the consent of their parents, under the care and control of white families qualified to give them moral, industrial, and educational training, $60,000.

School buildings.
Lease, improvement, etc.

For lease, purchase, repair, and improvement of buildings at Indian schools not otherwise provided for, including the purchase of necessary lands and the installation, repair, and improvement of

heating, lighting, power, and sewerage and water systems in connection therewith, $272,000.

Nonreservation boarding schools. Support, etc., of designated.

For support and education of Indian pupils at the following nonreservation boarding schools in not to exceed the following amounts, respectively:

Phoenix, Ariz.

Phoenix, Arizona: For five hundred pupils, including not to exceed $1,500 for printing and issuing school paper, $153,610; for pay of superintendent, drayage, and general repairs and improvements, $23,540; in all, $177,150;

Sherman Institute, Riverside, Calif.

Sherman Institute, Riverside, California: For six hundred and fifty pupils, including not to exceed $1,000 for printing and issuing school paper, $199,870; for pay of superintendent, drayage, and general repairs and improvements, $18,540; in all, $218,410;

Haskell Institute, Lawrence, Kans.

Haskell Institute, Lawrence, Kansas: For six hundred pupils, including not to exceed $2,500 for printing and issuing school paper, $184,145; for pay of superintendent, drayage, and general repairs and improvements, including necessary drainage work, $22,540; in all, $206,685;

Pipestone, Minn.

Pipestone, Minnesota: For two hundred and fifty pupils, $73,680; for pay of superintendent, drayage, and general repairs and improvements, $14,690; in all, $88,370;

Carson City, Nev.

Carson City, Nevada: For five hundred and twenty-five pupils, $145,995; for pay of superintendent, drayage, and general repairs and improvements, $14,630; in all, $160,625;

Albuquerque, N. Mex.

Albuquerque, New Mexico: For six hundred and fifty pupils, $202,935; for pay of superintendent, drayage, and general repairs and improvements, $22,520; in all, $225,455;

Santa Fe, N. Mex.

Santa Fe, New Mexico: For four hundred and fifty pupils, $147,610; for pay of superintendent, drayage, and general repairs and improvements, $14,540; in all, $162,150;

Charles H. Burke School, Fort Wingate, N. Mex.

Charles H. Burke School, Fort Wingate, New Mexico: For five hundred and twenty-five pupils, $164,060; for pay of superintendent, drayage, and general repairs and improvements, $19,620; in all, $183,680;

Bismarck, N. Dak.

Bismarck, North Dakota: For one hundred pupils, $32,755; for pay of superintendent, drayage, and general repairs and improvements, $6,700; in all $39,455;

Wahpeton, N. Dak.

Wahpeton, North Dakota: For three hundred pupils, $88,590; for pay of superintendent, drayage, and general repairs and improvements, $10,700; in all, $99,290;

Chilocco, Okla.

Chilocco, Oklahoma: For six hundred and fifty pupils, including not to exceed $2,000 for printing and issuing school paper, $201,000; for pay of superintendent, drayage, and general repairs and improvements, $21,580; in all, $222,580;

Sequoyah Orphan Training School, Okla.

Sequoyah Orphan Training School, near Tahlequah, Oklahoma: For three hundred and fifty orphan Indian children of the State of Oklahoma belonging to the restricted class, to be conducted as an industrial school under the direction of the Secretary of the Interior, $104,070; for pay of superintendent, drayage, and general repairs and improvements, $11,700; in all, $115,770: *Provided*, That of the balance remaining to the credit of the Cherokee Nation, not to exceed $154.20 is authorized to be expended in the purchase of additional land for the Sequoyah Orphan Training School;

Proviso. Additional land.

Carter Seminary, Okla.

Carter Seminary, Oklahoma: For one hundred and sixty-five pupils, $52,485; for pay of superintendent, drayage, and general repairs and improvements, $5,740; in all, $58,225;

Euchee, Okla.

Euchee, Oklahoma: For one hundred and fifteen pupils, $36,060; for pay of superintendent, drayage, and general repairs and improvements, $5,750; in all, $41,810;

Eufaula, Okla.

Eufaula, Oklahoma: For one hundred and thirty-five pupils, $42,500; for pay of superintendent, drayage, and general repairs and improvements, $5,740; in all, $48,240;

Jones Academy, Okla.

Jones Academy, Oklahoma: For one hundred and seventy-five pupils, $55,595; for pay of superintendent, drayage, and general repairs and improvements, $5,730; in all, $61,325;

Wheelock Academy, Okla.

Wheelock Academy, Oklahoma: For one hundred and thirty pupils, $40,730; for pay of superintendent, drayage, and general repairs and improvements, $5,750; in all, $46,480;

Chemawa, Salem, Oreg.

Chemawa, Salem, Oregon: For three hundred pupils, including not to exceed $1,000 for printing and issuing of school paper, $97,120; for pay of superintendent, drayage, and general repairs and improvements, $14,620; in all, $111,740;

Flandreau, S. Dak.

Flandreau, South Dakota: For four hundred and fifty pupils, $145,275; for pay of superintendent, drayage, and general repairs and improvements, $14,540; in all $159,815;

Pierre, S. Dak.

Pierre, South Dakota: For two hundred and twenty-five pupils, $67,450; for pay of superintendents, drayage, and general repairs and improvements, $11,540; in all, $78,990;

Tomah, Wis.

Tomah, Wisconsin: For two hundred pupils, $60,230; for pay of superintendent, drayage, and general repairs and improvements $13,680; in all, $73,910;

Total; nonreservation boarding schools.

In all, for above-named nonreservation boarding schools, not to exceed $2,513,680: *Provided*, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures for similar purposes in the various boarding schools named, but not more than 10 per centum shall be added to the amount appropriated for any one of said boarding schools or for any particular item within any boarding school. Any such interchanges shall be reported to Congress in the annual Budget.

Proviso.
Sums interchangeable.

Report to Congress.

Five Civilized Tribes, Okla.
Common schools.

For aid to the common schools in the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Nations and the Quapaw Agency in Oklahoma, $394,000, to be expended in the discretion of the Secretary of the Interior and under rules and regulations to be prescribed by him: *Provided*, That this appropriation shall not be subject to the limitation in section 1 of the Act of May 25, 1918 (U. S. C., title 25, sec. 297), limiting the expenditure of money to educate children of less than one fourth Indian blood: *Provided further*, That of this appropriation not to exceed $2,500 may be expended in the printing and issuance of a paper devoted to Indian education, which paper shall be printed at an Indian school; not to exceed $10,000 may be expended under rules and regulations of the Secretary of the Interior, in part payment of truancy officers in any county or two or more contiguous counties where there are five hundred or more Indian children eligible to attend school, and not to exceed $10,000 may be expended in the discretion of the Secretary of the Interior for the payment of salaries of public-school teachers, employed by the State or county, in special Indian day schools in full-blood Indian communities, where there are not adequate white day schools available for their attendance.

Provisos.
Parentage limitation not applicable.
40 Stat., 564, vol. 4, 149; U. S. C., p. 708.
Printing, etc., school paper.

Truancy officers.

Employing public school teachers where facilities inadequate.

Sioux Indians, S. Dak.
Day and industrial schools.
19 Stat., 256, vol. 1, 168.

For support and maintenance of day and industrial schools among the Sioux Indians, including the erection and repairs of school buildings, in accordance with the provisions of article 5 of the agreement made and entered into September 26, 1876, and ratified February 28, 1877 (19 Stat., p. 254), $301,835.

Alaska natives.

Natives in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for support and educa-

tion of the Eskimos, Aleuts, Indians, and other natives of Alaska, including necessary traveling expenses of pupils to and from industrial boarding schools in Alaska; erection, purchase, repair, and rental of school buildings, including purchase of necessary lands; textbooks and industrial apparatus; pay and necessary traveling expenses of superintendents, teachers, physicians, and other employees; repair, equipment, maintenance, and operation of vessels; and all other necessary miscellaneous expenses which are not included under the above special heads, including $285,600 for salaries in the District of Columbia and elsewhere, $17,500 for traveling expenses, $180,500 for equipment, supplies, fuel, and light, $23,000 for repairs of buildings, $63,000 for freight and operation and repair of vessels, $1,000 for rentals, and $2,000 for telephone and telegraph; total, $572,600, to be immediately available: *Provided*, That not to exceed 10 per centum of the amounts appropriated for the various items in this paragraph shall be available interchangeably for expenditures on the objects included in this paragraph, but not more than 10 per centum shall be added to any one item of appropriation except in cases of extraordinary emergency and then only upon the written order of the Secretary of the Interior: *Provided further*, That of said sum not exceeding $5,800 may be expended for personal services in the District of Columbia.

Services in District of Columbia.
Miscellaneous expenses.

Provisos.
Interchangeable sums.

Services in the District.

CONSERVATION OF HEALTH

Conservation of health.

For conservation of health among Indians, including equipment, materials, and supplies; repairs and improvements to buildings and plants; compensation and traveling expenses of officers and employees and renting of quarters for them when necessary; transportation of patients and attendants to and from hospitals and sanatoria; returning to their former homes and interring the remains of deceased patients; and not exceeding $1,000 for printing and binding circulars and pamphlets for use in preventing and suppressing trachoma and other contagious and infectious diseases, $2,981,040, and in addition thereto not to exceed $75,000 of the unexpended balance for this purpose for the fiscal year 1934 is continued available for the same purpose for the fiscal year 1935, including not to exceed the sum of $2,329,800 for the following-named hospitals and sanatoria:

Expenses designated.

Suppressing trachoma, etc.

Sum from balance, reappropriated.
47 Stat., 836; ante, 318.

Allotments to specified hospitals, etc.

Arizona: Indian Oasis Hospital, $21,610; Kayenta Sanatorium, $42,360; Fort Defiance Sanatorium and Southern Navajo General Hospital, $98,870; Phoenix Sanatorium, $70,070; Pima Hospital, $25,510; Truxton Canyon Hospital, $11,045; Western Navajo Hospital, $34,650; Chin Lee Hospital, $11,520; Fort Apache Hospital, $25,410; Havasupai Hospital, $4,710; Hopi Hospital, $37,750; Leupp Hospital, $24,550; San Carlos Hospital, $17,900; Tohatchi Hospital, $12,540; Colorado River Hospital, $21,875; San Xavier Sanatorium, $35,440; Phoenix Hospital, $29,780; Winslow Sanatorium, $36,950;

Arizona.

California: Hoopa Valley Hospital, $23,250; Soboba Hospital, $18,885; Fort Bidwell Hospital, $18,870; Fort Yuma Hospital, $13,160;

California.

Colorado: Ute Mountain Hospital, $14,230; Edward T. Taylor Hospital, $23,730;

Colorado.

Idaho: Fort Lapwai Sanatorium, $78,850; Fort Hall Hospitals, $15,350;

Idaho.

Iowa: Sac and Fox Sanatorium, $68,300;

Iowa.

Minnesota: Pipestone Hospital, $20,910;

Minnesota.

Mississippi: Choctaw Hospital, $25,565;

Mississippi.

Montana. Montana: Blackfeet Hospital, $23,520; Fort Peck Hospital, $20,990; Crow Agency Hospital, $22,850; Fort Belknap Hospital, $28,530; Tongue River Hospital, $28,550;

Nebraska. Nebraska: Winnebago Hospital, $36,780;

Nevada. Nevada: Carson Hospital, $21,570; Walker River Hospital, $19,525; Western Shoshone Hospital, $11,300;

New Mexico. New Mexico: Albuquerque Sanatorium, $95,050; Jicarilla Hospital and Sanatorium, $55,750; Mescalero Hospital, $18,720; Eastern Navajo Hospital, $15,870; Northern Navajo Hospital, $27,285; Taos Hospital, $13,990; Zuni Sanatorium, $51,330; Albuquerque Hospital, $47,260; Charles H. Burke Hospital, $7,440; Santa Fe Hospital, $37,840; Toadlena Hospital, $10,845;

North Carolina. North Carolina: Cherokee Hospital, $9,405;

North Dakota. North Dakota: Turtle Mountain Hospital, $35,380; Fort Berthold Hospital, $17,230; Fort Totten Hospital, $21,670; Standing Rock Hospital, $26,340;

Oklahoma. Oklahoma: Cheyenne and Arapahoe Hospital, $33,940; Choctaw and Chickasaw Sanatorium, $51,310; Shawnee Sanatorium, $85,260; Claremore Hospital, $31,870; Clinton Hospital, $18,970; Pawnee and Ponca Hospital, $27,900; Kiowa Hospital, $77,250;

South Dakota. South Dakota: Crow Creek Hospital, $20,260; Pine Ridge Hospitals, $40,660; Rosebud Hospital, $26,450;

Utah. Utah: Uintah Hospital, $13,955;

Washington. Washington: Yakima Sanatorium, $37,960; Tacoma Sanatorium, $188,810; Tulalip Hospital, $9,410;

Wisconsin. Wisconsin: Hayward Hospital, $28,265; Tomah Hospital, $25,490;

Wyoming. Wyoming: Shoshone, $23,380;

Provisos.
Interchangeable expenditures. *Provided*, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures in the various hospitals named, but not more than 10 per centum shall be added to the amount appropriated for any one of said hospitals or for any particular item within any hospital, and any interchange of appropriations hereunder shall be reported to Congress in the Annual Budget:

Report to Congress.

Hospitalization of pupils. *Provided further*, That nonreservation boarding schools receiving specific appropriations shall contribute on a per diem basis for the hospitalization of pupils in hospitals located at such schools and supported from this appropriation;

Clinical survey of disease conditions.
Proviso.
Local cooperation. For a clinical survey of tuberculosis, trachoma, and venereal and other disease conditions among Indians, $20,000: *Provided*, That in conducting such survey the cooperation of such State and other organizations engaged in similar work shall be enlisted wherever practicable and where services of physicians, nurses, or other persons are donated their travel and other expenses may be paid from this appropriation.

Chippewas in Minsota.
Hospitals for, from tribal funds. Support of hospitals, Chippewas in Minnesota (tribal funds): For support of hospitals maintained for the benefit of the Chippewa Indians in the State of Minnesota, $121,490, payable from the principal sum on deposit to the credit of said Indians arising under section 7 of the Act of January 14, 1889 (25 Stat., p. 645).

25 Stat., 645, vol. 1, 305.

Health work. There shall be available for health work among the several tribes of Indians not exceeding $125,000 of the tribal trust funds authorized elsewhere in this Act for support of Indians and administration of Indian property.

Medical relief in Alaska. Medical relief in Alaska: To enable the Secretary of the Interior, in his discretion, and under his direction through the Bureau of Indian Affairs, with the advice and cooperation of the Public Health Service, to provide for the medical and sanitary relief of the Eskimos, Aleuts, Indians, and other natives of Alaska; erection, purchase, repair, rental,

and equipment of hospital buildings; books and surgical apparatus; pay and necessary traveling expenses of physicians, nurses, and other employees, and all other necessary miscellaneous expenses which are not included under the above special heads, $263,555, to be available immediately.

GENERAL SUPPORT AND ADMINISTRATION

General support and administration.

For general support of Indians and administration of Indian property, including pay of employees authorized by continuing or permanent treaty provisions, $1,624,040.

Sundry agencies and reservations.

Fulfilling treaties with Indians: For the purpose of discharging obligations of the United States under treaties and agreements with various tribes and bands of Indians as follows:

Fulfilling treaties, etc.

Northern Cheyennes and Arapahoes, Montana (article 7, treaty of May 10, 1868, and agreement of February 28, 1877), $67,400;

Northern Cheyennes and Arapahoes, Mont. 19 Stat., 256, vol. 2, 1014.

Pawnees, Oklahoma (articles 3 and 4, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), $49,175;

Pawnees, Okla. 11 Stat., 731, vol. 2, 764, 765. 27 Stat., 644, vol. 1, 498.

Sioux of different tribes, including Santee Sioux of Nebraska, North Dakota, and South Dakota (articles 8 and 13, treaty of April 29, 1868, 15 Stat., p. 635, and Act of February 28, 1877, 19 Stat., p. 254), $401,200.

Sioux. 15 Stat., 635, vol. 2, 1000, 1002. 19 Stat., 254, vol. 1, 168.

In all, for said treaty stipulations, not to exceed $517,775.

Total.

For general support of Indians and administration of Indian property under the jurisdiction of the following agencies, to be paid from the funds held by the United States in trust for the respective tribes, in not to exceed the following sums, respectively:

General support, etc., at specified agencies, from tribal funds.

Arizona: Colorado River, $3,000; Fort Apache, $18,355; San Carlos, $41,505; Truxton Canyon, $8,690; in all, $71,550;

Arizona.

California: Mission, $5,000;

California.

Colorado: Consolidated Ute (Southern Ute, $15,000; Ute Mountain, $15,000); in all, $30,000;

Colorado.

Idaho: Fort Hall, $9,285;

Idaho.

Iowa: Sac and Fox, $2,000;

Iowa.

Minnesota: Red Lake, $39,405; Consolidated Chippewa, $5,000, to be used for establishing a system of cooperative marketing for Indian crops, including wild rice, berries, fish, and furs; in all, $44,405;

Minnesota. Cooperative market system.

Montana: Blackfeet, $2,500; Flathead, $10,000; in all, $12,500;

Montana.

North Carolina: Cherokee, $8,000;

North Carolina.

Oregon: Klamath, $46,550;

Oregon.

South Dakota: Cheyenne River, $69,235;

South Dakota.

Washington: Puyallup, $1,000 for upkeep of the Puyallup Indian cemetery; Taholah (Quinaielt), $1,000; in all, $2,000;

Washington.

Wisconsin: Keshena, $56,310, including $10,000 for monthly allowances, under such rules and regulations as the Secretary of the Interior may prescribe, to such old and indigent members of the Menominee Tribe as it is impracticable to place in the home for old and indigent Menominee Indians, and who reside with relatives or friends;

Wisconsin. Monthly allowances to old, etc., Menominees, from tribal funds.

In all, not to exceed $356,835.

Support of Chippewa Indians in Minnesota (tribal funds): For general support, administration of property, and promotion of self-support among the Chippewa Indians in the State of Minnesota, $71,100, to be paid from the principal sum on deposit to the credit of said Indians, arising under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota", approved January 14, 1889 (25 Stat., p. 645): *Provided*, That not to exceed $30,000 of the foregoing amount may be expended in the discretion of the Secretary of the Interior, in

Chippewas, in Minnesota. General support, etc.

25 Stat., 645, vol. 2, 305.

Proviso. Aiding indigent.

aiding indigent Chippewa Indians upon the condition that any funds used in support of a member of the tribe shall be reimbursed out of and become a lien against any individual property of which such member may now or hereafter become seized or possessed, the two preceding requirements not to apply to any old, infirm, or indigent Indian, in the discretion of the Secretary of the Interior.

Five Civilized Tribes, expenses, etc., tribal officers.

Expenses of tribal officers, Five Civilized Tribes, Oklahoma (tribal funds): For the current fiscal year money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, salaries and contingent expenses of the governor of the Chickasaw Nation and chief of the Choctaw Nation and one mining trustee for the Choctaw and Chickasaw Nations at salaries at the rate heretofore paid for the said governor and said chief and $4,000 for the said mining trustee, and one attorney each for the Choctaw and Chickasaw Tribes employed under contract approved by the President under existing law: *Provided*, That the expenses of the above-named officials shall be determined and limited by the Commissioner of Indian Affairs, not to exceed $2,500 each.

Proviso. Limitation.

Seminoles, Okla. Attorneys, expenses.

There is hereby authorized to be expended, out of any money now standing to the credit of the Seminole Nation of Indians in the Treasury of the United States, the sum of not exceeding $5,000 to be paid, in the discretion of the Secretary of the Interior, to attorneys for said Seminole Nation of Indians employed under the authority of the Act of Congress approved May 20, 1924 (43 Stat., pp. 133–134), the payments to be made in such sums as may be necessary to reimburse the attorneys for such proper and necessary expenses as may have been incurred or may be incurred in the investigation of records and preparation, institution and prosecution of suits of the Seminole Nation of Indians against the United States under the above-mentioned Act of May 20, 1924: *Provided further*, That the claims of the attorneys shall be filed by said attorneys with the Secretary of the Interior and shall be accompanied by the attorneys' itemized and verified statement of the expenditures for expenses and by proper vouchers, and that the claims so submitted shall be subject to the approval of the Secretary of the Interior: *Provided further*, That any sums allowed and paid under this Act to the attorneys shall be reimbursable to the credit of the Seminole Nation out of any amount or amounts which may hereafter be decreed by the Court of Claims to sai dattorneys for their services and expenses in connection with the Seminole tribal claims and suits under the above-mentioned Act of May 20, 1924.

43 Stat., 133, vol. 4, 414.

Provisos. Itemized statement and approval necessary.

Repayment.

Osages, Okla. Agency expenses from tribal funds.

Support of Osage Agency and pay of tribal officers, Oklahoma (tribal funds): For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage Reservation, Oklahoma, including pay of necessary employees, the tribal attorney and his stenographer, one special attorney in tax and other matters, and pay of tribal officers; repairs to buildings, rent of quarters for employees, traveling expenses, printing, telegraphing and telephoning, and purchase, repair, and operation of automobiles, $109,220, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma.

Traveling, etc., expenses.

For traveling and other expenses of tribal councils, business committees, or other tribal organizations, or representatives thereof, when engaged on business of the tribes, including visits to Washington, District of Columbia, when duly authorized or approved in advance by the Commissioner of Indian Affairs, $25,000, payable from

funds on deposit to the credit of the particular tribe interested: *Provided*, That not more than $5,000 shall be expended from the funds of any one tribe or band of Indians for the purposes herein specified.

Proviso.
Limitation on expenditure.

ROADS AND BRIDGES

Roads and bridges.

For maintenance and repair of that portion of the Gallup-Shiprock Highway within the Navajo Reservation, New Mexico, including the purchase of machinery, $20,000, reimbursable: *Provided*, That other than for supervision and engineering only Indian labor shall be employed for such maintenance and repair work.

Gallup - Shiprock Highway, N. Mex.
Maintenance, etc.
Proviso.
Indian labor.

ANNUITIES AND PER CAPITA PAYMENTS

Annuities, etc.

For fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831, 4 Stat., p. 442), $6,000.

Senecas, N. Y.
4 Stat., 442.

For fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), $4,500.

Six Nations, N. Y.
7 Stat., 46, vol. 2, 36.

For fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty of June 22, 1855), $3,000; for permanent annuity for support for light horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), $600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $320; in all, $10,520.

Choctaws, Okla.
7 Stat., 99, 212, 213, 236, vol. 2, 88, 192, 211, 706.

11 Stat., 614, vol. 2, 87, 191, 706, 709.

To carry out the provisions of the Chippewa treaty of September 30, 1854 (10 Stat., p. 1109), $1,000, in final settlement of the amount, $141,000, found due and heretofore approved for the Saint Croix Chippewa Indians of Wisconsin, whose names appear on the final roll prepared by the Secretary of the Interior pursuant to Act of August 1, 1914 (38 Stat., pp. 582–605), and contained in House Document Numbered 1663, said sum of $1,000 to be expended in the purchase of land or for the benefit of said Indians by the Commissioner of Indian Affairs: *Provided*, That in the discretion of the Commissioner of Indian Affairs, the per capita share of any of said Indians under this appropriation may be paid in cash.

Saint Croix Chippewas, Wis.
10 Stat., 1109, vol. 2, 648.

38 Stat., 607, vol. 4, 7.

Purchase of land.

Proviso.
Discretionary cash payment.

When, in the judgment of the Secretary of the Interior, it is necessary for accomplishment of the purposes of appropriations herein made for the Indian field service, such appropriations shall be available for purchase of ice, rubber boots for use of employees, for travel expenses of employees on official business, and for the cost of packing, crating, drayage, and transportation of personal effects of employees upon permanent change of station.

Field service employees.
Funds for, available for supplies, etc.

* * * * * * *

The appropriations for education of natives of Alaska and medical relief in Alaska shall be available for the payment of traveling expenses of new appointees from Seattle, Washington, to their posts of duty in Alaska, and of traveling expenses, packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station within Alaska, under regulations to be prescribed by the Secretary of the Interior.

Alaska natives.
Education and medical services.

* * * * * * *

Geological Survey.

GEOLOGICAL SURVEY

Nonmetallic Mineral Acts.
Enforcing provisions.
38 Stat., 741; 40 Stat., 297; 41 Stat., 437, 1363.
U. S. C., pp. 963, 964, 1595, 1596.

Mineral leasing: For the enforcement of the provisions of the Acts of October 20, 1914 (U. S. C., title 48, sec. 435), October 2, 1917 (U. S. C., title 30, sec. 141), February 25, 1920 (U. S. C., title 30, sec. 181), and March 4, 1921 (U. S. C., title 48, sec. 444), and other Acts relating to the mining and recovery of minerals on Indian and public lands and naval petroleum reserves; and for every other expense incident thereto, including supplies, equipment, expenses of travel and subsistence, the construction, maintenance, and repair of necessary camp buildings and appurtenances thereto, $173,700, of which amount not to exceed $52,500 may be expended for personal services in the District of Columbia;

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Office of National Parks, Buildings, and Reservations.

OFFICE OF NATIONAL PARKS, BUILDINGS, AND RESERVATIONS

* * * * * * *

Glacier, Mont.

Glacier National Park, Montana: For administration, protection, and maintenance, including necessary repairs to the roads from Glacier Park Station through the Blackfeet Indian Reservation to the various points in the boundary line of the Glacier National Park and the international boundary, including not exceeding $750 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $151,660.

* * * * * * *

Field work appropriations available for work animals, etc.

SEC. 2. Appropriations herein made for field work under the General Land Office, the Bureau of Indian Affairs, the Bureau of Reclamation, the Geological Survey, and the Office of National Parks, Buildings, and Reservations shall be available for the hire, with or without personal services, of work animals and animal-drawn and motor-propelled vehicles and equipment.

Approved, March 2, 1934.

March 5, 1934.
[H. R. 6219.]
48 Stat., 396.

CHAP. 43.—An Act To repeal certain specific Acts of Congress and an amendment thereto enacted to regulate the manufacture, sale, or possession of intoxicating liquors in the Indian Territory, now a part of the State of Oklahoma

Manufacture, etc., of intoxicating liquors in Indian Territory (Oklahoma).
Certain specific Acts concerning, repealed.
27 Stat., 260, vol. 1, 63; 29 Stat., 506, vol. 1, 83; 28 Stat., 697, vol. 1, 74; 40 Stat., 563, vol. 4, 148; 41 Stat., 4, vol. 4, 195.
U. S. C., p. 705.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Acts of Congress of July 23, 1892 (27 Stat. 260); January 30, 1897 (29 Stat. 506); section 8, chapter 145, of the Act of March 1, 1895 (28 Stat. 697); and that part of the Act of May 25, 1918 (40 Stat. 563), as amended by the Act of June 30, 1919 (41 Stat. 4), which is embraced in section 244, title 25, United States Code, be, and they are hereby, repealed insofar as they apply to and affect that part of the State of Oklahoma formerly known as "Indian Territory":

Proviso.

Provided, That this Act shall not be construed to repeal the Acts herein referred to insofar as they apply to any tract of land upon which there may be now or hereafter located any Indian school maintained by or under the supervision of the United States Government.

Exception.

Approved, March 5, 1934.

CHAP. 46.—Joint Resolution To amend Public Act Numbered 81 of the Seventy-third Congress, relating to the sale of timber on Indian land

March 5, 1934.
[H. J. Res. 278.]
48 Stat., 397.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the last proviso in the Act of June 16, 1933 (Public, Numbered 81, Seventy-third Congress, first session; 48 Stat. L. 311), relating to the sale of timber on Indian lands, be, and the same hereby is, amended to read as follows: "*And provided further*, That the authority granted herein shall terminate on the 4th day of September 1934."

Indian lands, timber sales contracts.
48 Stat., 311; ante, 342.

Authority conferred to terminate September 4, 1934.

Approved, March 5, 1934.

CHAP. 55.—An Act To promote the conservation of wild life, fish, and game, and for other purposes

March 10, 1934.
[S. 2529.]
48 Stat., 401.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture and the Secretary of Commerce are authorized to provide expert assistance to and to cooperate with Federal, State, and other agencies in the rearing, stocking, and increasing the supply of game and fur-bearing animals and fish, in combating diseases, and in developing a Nation-wide program of wild-life conservation and rehabilitation.

Conservation of wild life, fish, and game.
Cooperative promotion of, authorized.

SEC. 2. The Secretary of Agriculture and the Secretary of Commerce are authorized to make such investigations as they may deem necessary to determine the effects of domestic sewage, trade wastes, and other polluting substances on wild life, with special reference to birds, mammals, fish, and shellfish, and to make reports to the Congress of their investigations with recommendations for remedial measures. Such investigations shall include studies of methods for the recovery of wastes and the collation of data on the progress being made in these fields for the use of Federal, State, municipal, and private agencies.

Effects of polluting substances.
Studies, reports, etc., to be made.

SEC. 3. (a) Whenever the Federal Government through the Bureau of Reclamation or otherwise, impounds water for any use, opportunity shall be given to the Bureau of Fisheries and/or the Bureau of Biological Survey to make such uses of the impounded waters for fish-culture stations and migratory-bird resting and nesting areas as are not inconsistent with the primary use of the waters and/or the constitutional rights of the States. In the case of any waters heretofore impounded by the United States, through the Bureau of Reclamation or otherwise, the Bureau of Fisheries and/or the Bureau of Biological Survey may consult with the Bureau of Reclamation or other governmental agency controlling the impounded waters, with a view to securing a greater biological use of the waters not inconsistent with their primary use and/or the constitutional rights of the States and make such proper uses thereof as are not inconsistent with the primary use of the waters and/or the constitutional rights of the States.

Uses of impounded waters for fish culture, migratory bird refuges, etc.

(b) Hereafter, whenever any dam is authorized to be constructed, either by the Federal Government itself or by any private agency under Government permit, the Bureau of Fisheries shall be consulted, and before such construction is begun or permit granted, when deemed necessary, due and adequate provision, if economically practicable, shall be made for the migration of fish life from the upper to the lower and from the lower to the upper waters of said dam by means of fish lifts, ladders, or other devices.

Consultation with Fisheries Bureau as to fish conservation before any future dam construction.

SEC. 4. The Office of Indian Affairs, the Bureau of Fisheries, and the Bureau of Biological Survey are authorized, jointly, to prepare plans for the better protection of the wild-life resources, including

Plans for improving wild life resources to be prepared.

Promulgation and enforcement.

fish, migratory waterfowl and upland game birds, game animals and fur-bearing animals, upon all the Indian reservations and unallotted Indian lands coming under the supervision of the Federal Government. When such plans have been prepared they shall be promulgated by the Secretary of the Interior, the Secretary of Commerce, and the Secretary of Agriculture, who are authorized to make the necessary regulations for enforcement thereof and from time to time to change, alter, or amend such regulations.

Studies of wild life, etc., resources to be made by designated bureaus.

SEC. 5. The Bureau of Biological Survey and the Bureau of Fisheries are hereby authorized to make surveys of the wild-life resources of the public domain, or of any lands owned or leased by the Government, to conduct such investigations as may be necessary for the development of a program for the maintenance of an adequate supply of wild life in these areas, to establish thereon game farms and fish-cultural stations commensurate with the need for replenishing the supply of game and fur-bearing animals and fish, and, in cooperation with the National Park Service, The Forest Service, or other Federal agencies, the State agencies, to coordinate and establish adequate measures for wild-life control on such game farms and fish-cultural stations: *Provided*, That no such game farm shall hereafter be established in any State without the consent of the legislature of that State.

Cooperation of other agencies.

Proviso.
Consent required.

Land, etc., donations permitted.

SEC. 6. In carrying out the provisions of this Act the Federal agencies charged with its enforcement may cooperate with other Federal agencies, and with States, counties, municipalities, individuals, and public and private agencies, organizations, and institutions, and may accept donations of lands, funds, and other aids to the development of the program authorized in this Act: *Provided, however*, That no such donations of land shall be accepted without consent of the legislature of the State in which such land may be situated: *Provided*, That no authority is given in this Act for setting up any additional bureau or division in any department or commission, and shall not authorize any additional appropriation for carrying out its purposes.

Provisos.
Subject to consent of State.

Creating additional bureau, etc., forbidden.

Approved, March 10, 1934.

March 26, 1934.
[H. R. 8134.]
48 Stat., 467.

CHAP. 89.—An Act Making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1935, and for other purposes

Department of Agriculture, etc., appropriations, fiscal year 1935.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1935, namely:

* * * * * * *

Public Roads Bureau.

BUREAU OF PUBLIC ROADS

* * * * * * *

Federal aid highways.

FEDERAL-AID HIGHWAY SYSTEM

* * * * * * *

Emergency appropriation for roads on Indian reservations, etc.
47 Stat., 717; post, 634.

The appropriation of $2,000,000 for roads on unappropriated or unreserved public lands, nontaxable Indian lands, and so forth, contained in the Act entitled "An Act to relieve destitution, to broaden

the lending powers of the Reconstruction Finance Corporation, and to create employment by providing for and expediting a public-works program", approved July 21, 1932, is hereby continued available during the fiscal year 1935, and not to exceed $4,290 may be used for personal services in the District of Columbia.

Services in the District.

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Approved, March 26, 1934.

CHAP. 93.—An Act To authorize the Secretary of the Interior to place with the Oklahoma Historical Society, at Oklahoma City, Oklahoma, as custodian for the United States, certain records of the Five Civilized Tribes, and of other Indian tribes in the State of Oklahoma, under rules and regulations to be prescribed by him

March 27, 1934.
[H. R. 5631.]
48 Stat., 501.

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, under rules and regulations to be prescribed by him, to place with the Oklahoma Historical Society of the State of Oklahoma any records of the Five Civilized Tribes, including the Cherokees, Creeks, Choctaws, Chickasaws, and Seminoles, which may be in the custody or control of the Secretary of the Interior and the Superintendent for the Five Civilized Tribes; also of the Wichita, Kiowa, Comanche, Caddo, and Apache Indians that may be within his custody or control or of the agent at Anadarko, Oklahoma; also of the Arapaho and Cheyenne Indians that may be within his custody or control or of the agent at Concho, Oklahoma; also of the Sac and Fox, Pottawatomie, Kickapoo, and Iowa Indians that may be within his custody or control or of the agent at Shawnee, Oklahoma; also of the Wyandotte, Seneca, Quapaw, Peoria, Modoc, and Miami Indians that may be within his custody or control or of the agent at Miami, Oklahoma; also of the Tonkawa, Ponca, Pawnee, Otoe, and Kaw Indians that may be within his custody or control or of the agent at Pawnee, Oklahoma; and of the Osage Indians that may be within his custody or control or of the agent at Pawhuska, Oklahoma. The Oklahoma Historical Society in receiving the custody of such papers, records, and matters of historical interest to receive same as custodian for the United States of America and the Secretary of the Interior, and to hold same under rules and regulations as may be prescribed by him: *Provided*, That copies of any documents, records, books, or papers in the office of and custody of the Oklahoma Historical Society when certified by the secretary or chief clerk of said society under its seal, or when such office or position is vacant by the officer or person acting as secretary or chief clerk for the time, shall be evidence equally with the original, and in making such certified copies such secretary or acting secretary and such chief clerk or acting chief clerk shall be acting as a Federal agent, and such certified copies shall have the same force and effect as if made by the Secretary of the Interior when such documents, records, books, or papers were in his office as Secretary of the Interior and certified by him under seal of his office: *Provided further*, That wherever such certified copies are desired by the Government to be used for the benefit of the Government they shall be furnished without cost: *Provided, further*, That any of the records placed with the Historical Society shall be promptly returned to the Government official designated by the said Secretary upon his request therefor.

Five Civilized Tribes, etc.
Certain records of, to be placed with the Oklahoma Historical Society.

Society to receive, as Federal custodian.

Provisos.
Certified copies may issue.

Government use.

Return of, on request.

Approved, March 27, 1934.

March 28, 1934.
[H. R. 6663.]
48 Stat., 509.

CHAP. 102.—An Act Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1935, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—APPROPRIATIONS

Independent Offices Appropriation Act, 1935.
Appropriations for fiscal year 1935.

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1935, namely:

* * * * * * *

Smithsonian Institution.

SMITHSONIAN INSTITUTION

* * * * * * *

American ethnology.

American ethnology: For continuing ethnological researches among the American Indians and the natives of Hawaii, the excavation and preservation of archæologic remains under the direction of the Smithsonian Institution, including necessary employees, the preparation of manuscripts, drawings, and illustrations, the purchase of books and periodicals, and traveling expenses, $52,910.

* * * * * * *

Approved, March 28, 1934.

April 7, 1934.
[H. R. 7513.]
48 Stat., 529.

CHAP. 104.—An Act Making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1935, and for other purposes

Appropriations for Departments of State and Justice, the Judiciary, and Departments of Commerce and Labor, fiscal year 1935.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1935, namely:

* * * * * * *

Department of Justice.

TITLE II—DEPARTMENT OF JUSTICE

* * * * * * *

Miscellaneous.

MISCELLANEOUS OBJECTS, DEPARTMENT OF JUSTICE

* * * * * * *

Defending suits in claims against United States.

Defending suits in claims against the United States: For necessary expenses incurred in the examination of witnesses, procuring evidence, employment of experts at such rates of compensation as may be authorized or approved by the Attorney General, and such other expenses as may be necessary in defending suits in the Court of Claims, including Indian depredation claims, to be expended under the direction of the Attorney General, $50,000.

* * * * * * *

Approved, April 7, 1934.

CHAP. 146.—An Act To amend sections 3 and 4 of an Act of Congress entitled "An Act for the protection and regulation of the fisheries of Alaska", approved June 26, 1906, as amended by the Act of Congress approved June 6, 1924, and for other purposes

April 16, 1934.
[S. 3022.]
48 Stat., 594.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act of Congress entitled "An Act for the protection and regulation of the fisheries of Alaska", approved June 26, 1906, as amended by the Act of Congress entitled "An Act for the protection of the fisheries of Alaska, and for other purposes", approved June 6, 1924, be, and the same is hereby, amended to read as follows:

Alaskan fisheries.
34 Stat., 479; 43 Stat., 465, amended.

"SEC. 3. That it shall be unlawful to erect or maintain any dam, barricade, fence, trap, fishwheel, or other fixed or stationary obstruction except for purposes of fish culture, in any of the waters of Alaska at any point where the distance from shore to shore is less than one thousand feet, or within five hundred yards of the mouth of any creek, stream, or river into which salmon run, excepting the Karluk, Ugashik, Kuskokwim, and Yukon Rivers, with the purpose or result of capturing salmon or preventing or impeding their ascent to the spawning grounds, and the Secretary of Commerce is hereby authorized and directed to have any and all such unlawful obstructions removed or destroyed: *Provided*, *however*, That the exception hereinabove contained with reference to the Kuskokwim and Yukon Rivers shall be solely for the purpose of enabling native Indians and bona fide permanent white inhabitants along the said rivers to take from said rivers for commercial purposes and for export from the Territory of Alaska king salmon in such manner and such quantities, and at such times as the Secretary of Commerce may, by suitable regulations, from time to time permit: *Provided*, *further*, That no person shall be deemed to be a bona fide permanent inhabitant of the said rivers who has not resided thereon, or within fifty miles thereof for a period of over one year, and that the term 'native Indians' as used herein shall be taken to mean members of the aboriginal races inhabiting Alaska when annexed to the United States, and their descendants of the whole or half blood. For the purposes of this section, the mouth of such creek, stream, or river shall be taken to be the point determined as such mouth by the Secretary of Commerce and marked in accordance with this determination. It shall be unlawful to lay or set any seine or net of any kind within one hundred yards of any other seine, net, or other fishing appliance which is being or which has been laid or set in any of the waters of Alaska, or to drive or to construct any trap or any other fixed fishing appliance within six hundred yards laterally or within one hundred yards endwise of any other trap or fixed fishing appliance."

Restriction on use of fixed obstructions for taking salmon.

Certain rivers excepted.

Provisos
Exception solely for benefit of natives.

Take of king salmon for commercial purposes under regulations.

Persons classed as bona fide inhabitants and native Indians.

Mouth of streams, etc., to be determined.

Distances required in laying seines, etc.

SEC. 2. That section 4 of the Act of Congress entitled "An Act for the protection and regulation of the fisheries of Alaska", approved June 26, 1906, as amended by the Act of Congress entitled "An Act for the protection of the fisheries of Alaska, and for other purposes", approved June 6, 1924, be, and the same hereby is, amended to read as follows:

34 Stat., 479; 43 Stat., 466, amended.

"SEC. 4. That it shall be unlawful to fish for, take, or kill any salmon of any species or by any means except by hand rod, spear, or gaff in any of the creeks, streams, or rivers of Alaska; or within

Fishing, except by hand, etc., or near mouth of stream, etc., unlawful.

Excepted rivers.

five hundred yards of the mouth of any such creek, stream, or river over which the United States has jurisdiction, excepting the Karluk, Ugashik, Yukon, and Kuskokwim Rivers: *Provided*, That nothing herein contained shall prevent the taking of fish for local food requirements or for use as dog feed: *Provided further*, That the exception hereinabove contained with reference to the Kuskokwim and Yukon Rivers shall be solely for the purpose of enabling native Indians and bona fide permanent white inhabitants along the said rivers to take from said rivers for commercial purposes and for export from the Territory of Alaska king salmon in such manner and such quantities, and at such times as the Secretary of Commerce may, by suitable regulations, from time to time permit: *Provided further*, That no person shall be deemed to be a bon fide permanent inhabitant of said rivers who has not resided thereon or within fifty miles thereof for a period of over one year, and that the term 'native Indians' as used herein shall be taken to mean members of the aboriginal races inhabiting Alaska when annexed to the United States, and their descendants of the whole or half blood."

Provisos.
For local food, etc., excluded.

Commercial fishing by natives, etc., in designated waters.

Persons deemed bona fide inhabitants, etc.

Approved, April 16, 1934.

April 16, 1934.
[S. 2571.]
48 Stat., 596.

CHAP. 147.—An Act Authorizing the Secretary of the Interior to arrange with States or Territories for the education, medical attention, relief of distress, and social welfare of Indians, 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 Secretary of the Interior is hereby authorized, in his discretion, to enter into a contract or contracts with any State or Territory having legal authority so to do, for the education, medical attention, agricultural assistance, and social welfare, including relief of distress, of Indians in such State or Territory, through the qualified agencies of such State or Territory, and to expend under such contract or contracts moneys appropriated by Congress for the education, medical attention, agricultural assistance, and social welfare, including relief of distress, of Indians in such State.

Contracts with States, etc., for the welfare of Indians.

Federal expense.

SEC. 2. That the Secretary of the Interior, in making any contract herein authorized with any State or Territory, may permit such State or Territory to utilize for the purpose of this Act, existing school buildings, hospitals, and other facilities, and all equipment therein or appertaining thereto, including livestock and other personal property owned by the Government, under such terms and conditions as may be agreed upon for their use and maintenance.

Existing facilities to be utilized.

SEC. 3. That the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations, including minimum standards of service, as may be necessary and proper for the purpose of carrying the provisions of this Act into effect: *Provided*, That such minimum standards of service are not less than the highest maintained by the States or Territories with which said contract or contracts, as herein provided, are executed.

Rules, including minimum standards of service, to be established.

Proviso.
Rating.

SEC. 4. That the Secretary of the Interior shall report annually to the Congress any contract or contracts made under the provisions of this Act, and the moneys expended thereunder.

Annual report to Congress.

SEC. 5. That the provisions of this Act shall not apply to the State of Oklahoma.

Not applicable to Oklahoma.

Approved, April 16, 1934.

CHAP. 169.—An Act to amend section 1 of the Act entitled "An Act to provide for determining the heirs of the deceased Indians, for the disposition and sale of allotments of deceased Indians, for the leasing of allotments, and for other purposes", approved June 25, 1910, as amended

April 30, 1934.
[H. R. 5075.]
48 Stat., 647.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act entitled "An Act to provide for determining the heirs of deceased Indians, for the disposition and sale of allotments of deceased Indians, for the leasing of allotments, and for other purposes" (36 Stat. 855), be, and the same is hereby, amended to read as follows:

Indian trust allotments.
36 Stat., 855, vol. 3, 476.
45 Stat., 161; ante, 6.

"That when any Indian to whom an allotment of land has been made, or may hereafter be made, dies before the expiration of the trust period and before the issuance of a fee simple patent, without having made a will disposing of said allotment as hereinafter provided, the Secretary of the Interior, upon notice and hearing, under such rules as he may prescribe, shall ascertain the legal heirs of such decedent, and his decision thereon shall be final and conclusive. If the Secretary of the Interior decides the heir or heirs of such decedent competent to manage their own affairs, he shall issue to such heir or heirs a patent in fee for the allotment of such decedent; if he shall decide one or more of the heirs to be incompetent, he may, in his discretion, cause such lands to be sold: *Provided*, That if the Secretary of the Interior shall find that the lands of the decedent are capable of partition to the advantage of the heirs, he may cause the shares of such as are competent, upon their petition, to be set aside and patents in fee to be issued to them therefor. All sales of lands allotted to Indians authorized by this or any other Act shall be made under such rules and regulations and upon such terms as the Secretary of the Interior may prescribe, and he shall require a deposit of 10 per centum of the purchase price at the time of the sale. Should the purchaser fail to comply with the terms of sale prescribed by the Secretary of the Interior, the amount so paid shall be forfeited; in case the balance of the purchase price is to be paid on such deferred payments, all payments made, together with all interest paid on such deferred installments, shall be so forfeited for failure to comply with the terms of the sale. All forfeitures shall inure to the benefit of the allottee or his heirs. Upon payment of the purchase price in full the Secretary of the Interior shall cause to be issued to the purchaser patent in fee for such land: *Provided*, That the proceeds of the sale of inherited lands shall be paid to such heir or heirs as may be competent and held in trust subject to use and expenditure during the trust period for such heir or heirs as may be incompetent as their respective interests shall appear: *Provided further*, That the Secretary of the Interior is hereby authorized, in his discretion, to issue a certificate of competency, upon application therefor, to any Indian, or in case of his death to his heirs, to whom a patent in fee containing restrictions on alienation has been or may hereafter be issued, and such certificate shall have the effect of removing the restrictions on alienation contained in such patent: *Provided further*, That hereafter any United States Indian agent, superintendent, or other disbursing agent of the Indian Service may deposit Indian moneys, individual or tribal, coming into his hands as custodian, in such bank or banks as he may select: *Provided*, That the bank or banks so selected by him shall first execute to the said disbursing agent a bond, with approved surety, in such amount as will properly safeguard the funds to be deposited. Such bonds shall be subject to the approval of the Secretary of the Interior."

Disposal of, to heirs of intestate Indians.

Ascertainment of legal heirs.
Determination of competency.

Provisos.
Partition.

Rules for sales.
Deposit required.

Forfeiture of payments, if terms not met.

Benefit of allottee.
Issue of patents.

Distribution of proceeds.

Competency certificates.

Deposit of Indian funds in banks.
Indemnity bond from bank.

Approved, April 30, 1934.

May 7, 1934.
[H. R. 4808.]
48 Stat., 667.

CHAP. 221.—An Act Granting citizenship to the Metlakahtla Indians of Alaska

Metlakahtla, etc., Indians of Alaska.
Citizenship granted to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Indians of the Tsimshian Tribe, and those people known as Metlakahtlans, who emigrated from Metlakahtla, British Columbia, Canada, to Annette Island, in the Alexander Archipelago in southeastern Alaska in the year 1887, and there established a colony known as Metlakahtla, Alaska, and any and all other British Columbia Indians who joined them there not later than January 1, 1900, and have since resided continuously therein, having been faithful and loyal to the Constitution, laws and the Government of the United States, are hereby declared to be citizens of the United States.

26 Stat., 1101.

Property rights of Indians.

SEC. 2. The granting of citizenship to the said Indians shall not in any manner affect the rights, individual or collective, of the said Indians to any property, nor shall it affect the rights of the United States Government to supervise and administer the affairs of the said Metlakahtla Colony. And any reservations heretofore made by any Act of Congress or Executive order or proclamation for the benefit of the said Indians shall continue in full force and effect and shall continue to be subject to modification, alteration, or repeal by the Congress or the President, respectively.

Supervision, etc., by United States.

Status of laws, orders, etc., concerning.

Approved, May 7, 1934.

May 7, 1934.
[H. R. 6166.]
48 Stat., 668.

CHAP. 223.—An Act Providing for payment of $25 to each enrolled Chippewa Indian of Minnesota from the funds standing to their credit in the Treasury of the United States

Chippewa Indians of Minnesota.
Per capita payment to, from tribal funds.

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 and directed to withdraw from the Treasury so much as may be necessary of the principal fund on deposit to the credit of the Chippewa Indians in the State of Minnesota, under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota", approved January 14, 1889, as amended, and to make therefrom payment of $25 to each enrolled Chippewa Indian of Minnesota, under such regulations as such Secretary shall prescribe. No payments shall be made under this Act until the Chippewa Indians of Minnesota shall, in such manner as such Secretary shall prescribe, have accepted such payments and ratified the provisions of this Act. The money paid to the Indians under this Act shall not be subject to any lien or claim of whatever nature against any of said Indians.

25 Stat., 645, vol. 1, 305.

Approved, May 7, 1934.

May 21, 1934.
[S. 2566.]
48 Stat., 786.

CHAP. 319.—An Act Authorizing the conveyance of certain lands to the State of Nebraska

Genoa Indian School.
Conveyance of property of, to Nebraska, for institutional purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby granted to the State of Nebraska for institutional purposes the property known and designated as the "Genoa Indian School", located at Genoa, Nebraska, such grant to include the land and buildings and such equipment as may be designated by the Secretary of the Interior: *Provided*, That this grant may be effective at any time prior to July 1, 1934, if before that date the Governor of the State of Nebraska on behalf of the State files an acceptance thereof with the Secretary of the Interior: *Provided further*, That the right is reserved by the

Provisos.
Date of acceptance.

Reservation.

Secretary of the Interior to retain until July 1, 1934, dormitory and other space needed for the housing and care of Indian pupils now accommodated at said school: *Provided further*, That as a condition precedent to this grant Indians residing within the State of Nebraska will be accepted in State institutions on entire equality with persons of other races, except that tuition for Indian children in the public schools may be paid by the Federal Government: *Provided further*, That nothing herein contained shall be construed as affecting the right-of-way heretofore applied for by and agreed to be granted to the Loup River Public Power District of Nebraska across said school property and an easement over the lands falling within said right-of-way is hereby granted to said Loup River Public Power District of Nebraska upon proper identification thereof through survey.

Admission of Indians into State institutions.

Existing rights-of-way granted to Loup River Public Power District.

Approved, May 21, 1934.

CHAP. 320.—An Act Granting a leave of absence to settlers of homestead lands during the years 1932, 1933, and 1934

May 21, 1934.
[S. 2568.]
48 Stat., 787.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any homestead settler or entryman who, during the calendar years 1932 or 1933, found it necessary, or during 1934 should find it necessary, because of economic conditions, to leave his homestead to seek employment in order to obtain the necessaries of life for himself and/or family or to provide for the education of his children, may, upon filing with the register of the district his affidavit, supported by corroborating affidavits of two disinterested persons, showing the necessity of such absence, be excused from compliance with the requirements of the homestead laws as to residence, cultivation, improvements, expenditures, or payment of purchase money as the case may be, during all or any part of the calendar years 1932, 1933, and 1934, and said entries shall not be open to contest or protest because of failure to comply with such requirements during such absence; except that the time of such absence shall not be deducted from the actual residence required by law, but a period equal to such absence shall be added to the statutory life of the entry: *Provided*, That any entryman holding an unperfected entry on ceded Indian lands may be excused from the requirements of residence upon the conditions provided herein, but shall not be entitled to extension of time for the payment of any installment of the purchase price of the land except upon payment of interest, in advance, at the rate of 4 per centum per annum on the principal of any unpaid purchase price from the date when such payment or payments became due to and inclusive of the date of the expiration of the period of relief granted hereunder.[1]

Public lands.
Homestead settlers, etc., may be excused from residence on, in certain cases.
47 Stat., 59.

Absence added to statutory life of entry.

Proviso.
Installment payment extension.

Approved, May 21, 1934.

CHAP. 321.—An Act Repealing certain sections of the Revised Code of Laws of the United States relating to the Indians

May 21, 1934.
[S. 2671.]
48 Stat., 787.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 2111, 2112, 2113, 2120, 2134, 2147, 2148, 2149, 2150, 2151, 2152, and 2153 of the Revised Statutes (U. S. C., title 25, secs. 171, 172, 173, 186, 219, 220, 221, 222, 223, 224, 225, and 226) are hereby repealed.

Revised Statutes.
Certain sections of, relating to Indians, repealed.
U. S. C., p. 700.

Approved, May 21, 1934.

[1] 54 I. D. D., 587.

May 21, 1934.
[S. 2825.]
48 Stat., 791.

CHAP. 323.—An Act To provide for an appropriation of $50,000 with which to make a survey of the Old Indian Trail known as the "Natchez Trace," with a view of constructing a national road on this route to be known as the "Natchez Trace Parkway"

Natchez Trace Parkway.
Preamble.

Whereas the Natchez Trace was one of the most ancient and important Indian roads leading from the territory in the section of Tennessee about Nashville in a southwest course, crossing the Tennessee River at Colbert Shoals a few miles below Muscle Shoals, thence passing in a southwest course through the Chickasaw and Choctaw Indian lands in what is now Mississippi, in an almost direct course by Jackson, Mississippi, to Natchez; and

Whereas the Natchez Trace is located throughout almost its entire length on highlands between watersheds on the most suitable route over which to establish the national parkway through a section of the country greatly in need of such road facilities from a national standpoint to connect the North and East directly with the Natchez, New Orleans, and southwest section of the country; and

Whereas the Natchez Trace was made famous for the service it rendered in affording General Jackson a route over which much of his forces moved to take part in Jackson's famous victory over the British at New Orleans, and also by reason of the fact that General Jackson returned with his army over this Trace to Nashville after the Battle of New Orleans; and

Whereas the Natchez Trace is known as one of the Nation's most famous old roads, and has been marked by handsome boulders with suitable inscriptions by the Daughters of the American Revolution at great expense, these boulders being placed every few miles from one end of the Trace to the other; and

Whereas unusual interest is being manifested in the building of a national parkway by the Government, Natchez Trace organizations having been perfected in almost every county through which the Trace passes; and

Whereas the Government has recently adopted a policy and set up a division in the Department of the Interior, known as the "National Park Service" to engage in a national way in laying out parks, reservations, and building parkways: Therefore

Appropriation authorized for surveying.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated out of the Treasury of the United States, a sum not exceeding $50,000 to be used by the Department of the Interior through the National Park Service with which to make a survey of the Old Natchez Trace throughout its entire length leading from the section of Tennessee about Nashville to Natchez, Mississippi, the same to be known as the "Natchez Trace Parkway." The said survey shall locate the Natchez Trace as near as practicable in its original route. An estimate of cost of construction of an appropriate national parkway over this route, and such other data as will be valuable shall be obtained by said survey with the objective of determining matters concerning the construction of the Natchez Trace Parkway.

Cost of construction to be estimated.

Approved, May 21, 1934.

May 23, 1934.
[S. 1807.]
48 Stat., 795.

CHAP. 337.—An Act To provide for the exchange of Indian and privately owned lands, Fort Mojave Indian Reservation, Arizona

Fort Mojave Indian Reservation, Ariz.
Exchange of Indian and privately owned lands permitted.

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 hereby authorized to accept, in his discretion, under rules and regulations to be prescribed by him, conveyances to the Gov-

ernment of privately owned lands contiguous to the even-numbered sections added to the Fort Mojave Indian Reservation, Arizona, by Executive order of February 2, 1911, and to permit lieu selections of lands approximately equal in value from the even-numbered sections by those surrendering their holdings, so that the lands retained and acquired through exchange for Indian use may be consolidated and held in a solid area so far as may be possible: *Provided*, That upon conveyance of any privately owned lands to the Government pursuant thereto, the Secretary of the Interior is hereby authorized to issue to the person or persons making the conveyance, patent of appropriate form and legal effect for the lieu lands. The areas consolidated in the Government pursuant to this Act are hereby declared to be held for the benefit of the Indians of the Fort Mojave Reservation: *Provided further*, That the title or claim of any person or persons who refuse to convey to the Government shall not be affected by this Act.

Executive Order 1296.
Vol. 3, 667–8.

Provisos.
Patent to issue on conveying privately owned lands.

Consolidations for benefit of Indians.

Title.

Approved, May 23, 1934.

CHAP. 364.—An Act To authorize the Secretary of the Interior to issue patents for lots to Indians within the Indian village of Taholah, on the Quinaielt Indian Reservation, Washington

May 28, 1934.
[S. 1882.]
48 Stat., 811.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized, upon application by any qualified Indian living within the Indian village of Taholah, on the Quinaielt Indian Reservation in the State of Washington, to issue to such Indian a patent for not to exceed two contiguous lots within said village, one of which lots must be occupied by said applicant: *Provided*, That where pursuant to section 10 of the Act of June 25, 1910 (36 Stat. L. 858), one lot within said Indian village has heretofore been patented to any Indian living thereon said Secretary of the Interior is hereby authorized to patent to such Indian, or to his or her heirs in case of death, one additional contiguous lot wherever available. All patents issued hereunder shall be of the legal effect prescribed by said section 10 of the Act of June 25, 1910, and all lots so patented to said Indians shall be disposed of as provided for in section 1 of that Act.

Quinaielt Indian Reservation, Wash.
Patents to Indians of Taholah village.

Proviso.
Additional lot to prior patentee.
36 Stat., 858, amended, vol. 3, 478.

Legal effect of patents.

Approved, May 28, 1934.

CHAP. 394.—An Act To amend the Act of Congress approved June 7, 1924, commonly called the "San Carlos Act", and Acts supplementary thereto

June 5, 1934.
[H. R. 8938.]
48 Stat., 881.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress approved June 7, 1924 (43 Stat. L. 475, 476), commonly called the "San Carlos Act", and Acts supplementary thereto, including the Act of Congress approved March 7, 1928 (45 Stat. L. 210–212), and Acts supplementary thereto, be, and the same are hereby, amended so as to provide that the construction cost of the San Carlos project, including the cost of the power development at the Coolidge Dam and the transmission line or lines shall be repaid without interest, and that part thereof to be paid on account of the lands in public or private ownership shall be repaid in forty equal annual installments beginning on December 1, 1935, the date fixed by the public notice heretofore issued by the Secretary of the Interior. The Secretary of the Interior, with the consent of the San Carlos Irrigation and Drainage District, is hereby authorized to modify the existing repayment contract in accordance herewith.

San Carlos irrigation project, Ariz.
43 Stat., 475, vol. 4, 447; 45 Stat., 212; ante, 16.
Costs as to Indian lands to be repaid without interest.

Amortization of privately, etc., owned lands in 40 annual installments.

Contract modified accordingly.

Approved, June 5, 1934.

June 6, 1934.
[H. R. 8494.]
48 Stat., 910.

CHAP. 407.—An Act To authorize the Secretary of the Interior to modify the terms of existing contracts for the sale of timber on the Quinault Indian Reservation when it is in the interest of the Indians so to do

Quinault Indian Reservation, Wash.. timber sales.
Modification of existing contracts with consent of Indians.

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, with the consent of the Indians involved, expressed through a regularly called general council, and of the purchasers, is hereby authorized to modify the terms of now-existing and uncompleted contracts of sale of Indian tribal timber on the Quinault Indian Reservation in the State of Washington: *Provided*, That any such modifications shall be upon the express condition that said purchaser shall forthwith proceed to operate under all the terms of said contract as modified or suffer forfeiture of such contract and collection upon bond: *And provided further*, That any modification of said contracts shall stipulate that in the event of sufficiently improved economic conditions the Secretary of the Interior with the consent of the said general council is authorized, after consultation with the purchasers and the Indians involved and after ninety days' notice to them, to increase stumpage prices of timber reduced in any such modified contract: *And provided further*, That hereafter no contract of sale of Indian tribal timber on the Quinault Indian Reservation in Washington shall be entered into without the consent of the said general council.

Provisos.
Condition of operation.

Increasing stumpage prices.

Consent of Quinault council to sale of timber.

SEC. 2. The Secretary of the Interior may modify existing contracts between individual Indian allottees or their heirs and purchasers of their timber, under the terms and requirements of section 1 of this Act, with the consent of the allottee or his heirs.

Existing contracts between individual allottees, etc., may be modified.

SEC. 3. In all such modified contracts the purchasers of Indian timber on tribal lands or on restricted or trust allotments in all operations pertaining to the logging and manufacturing of said timber shall be required to give preference to the employment of Indian labor.

Indian labor.

SEC. 4. That any modification of the contract with the Ozette Railway Company shall stipulate that that company shall haul logs of other timber owners on its railroad line, as freight, for such other owners with its ordinary equipment and at reasonable charges when such logs are tendered to it at places on its railroad line designated by such company; and its railroad shall be, and become, a common-carrier railroad and be extended to the Hoh River and be a common-carrier railroad for its entire length.

Ozette Railway Company.
Contracts for hauling logs.

Approved, June 6, 1934.

June 11, 1934.
[S. 2980.]
48 Stat., 927.

CHAP. 442.—An Act To modify the effect of certain Chippewa Indian treaties on areas in Minnesota

Chippewa Indians in Minnesota.
Certain lands, no longer to be considered "Indian country."
10 Stat., 1109, 1165, vol. 2, 648, 685.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on and after the passage of this Act lands in Minnesota ceded to the United States by the treaty of September 30, 1854 (10 Stat. L. 1109), between the United States and the Chippewa Indians of Lake Superior and the Mississippi and by the treaty of February 22, 1855 (10 Stat. L. 1165), between the United States and the Mississippi Bands of Chippewa Indians, shall no longer be considered as "Indian country" for the purposes of article 7 of said treaties: *Provided*, That in that portion in the said State of Minnesota affected by this Act the Indian liquor laws shall continue to apply to the sale, gift, barter, exchange, and so forth, of liquors to ward Indians of the classes set forth in the Act of January 30, 1897 (29 Stat. L. 506), and to the manufacture or sale

Proviso.
Application of liquor laws.

29 Stat., 506, vol. 1, 83.

of liquors on individual Indian allotments or other individual Indian-owned lands while the title to same is held in trust by the United States or while the same shall remain inalienably by the Indian without the consent of some governmental officer.

Approved, June 11, 1934.

CHAP. 521.—An Act To define the exterior boundaries of the Navajo Indian Reservation in Arizona, and for other purposes

June 14, 1934.
[H. R. 8927.]
48 Stat., 960.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the exterior boundaries of the Navajo Indian Reservation, in Arizona, be, and they are hereby, defined as follows: Beginning at a point common to the States of Arizona, New Mexico, Colorado, and Utah, thence west along the boundary line between the States of Arizona and Utah to a point where said boundary line intersects the Colorado River; thence down the south bank of that stream to its confluence with the Little Colorado River; thence following the north bank of the Little Colorado River to a point opposite the east boundary of the Grand Canyon National Park; thence south along said east boundary to the southeast corner of section 5, township 30 north, range 6 east, Gila and Salt River base and meridian, Arizona; thence east to the southeast corner of section 4; thence south to the southwest corner of section 10; thence east to the southeast corner of section 10; thence south to the southwest corner of section 14; thence east to the northwest corner of the northeast quarter section 23; thence south two miles to the southeast corner of the southwest quarter section 26; thence west one half mile to the southeast corner of section 27, township 30 north, range 6 east, Gila and Salt River base and meridian, Arizona; thence south seven miles to the southwest corner of section 35, township 29 north, range 6 east; thence east one mile; thence south one and one half miles to the southwest corner of the northwest quarter section 12, township 28 north, range 6 east; thence east through the center of section 12 to the range line between ranges 6 and 7 east; thence south along said range line five and one half miles to the southeast corner of section 1, township 27 north, range 6 east; thence west three miles to the southwest corner of section 3, township 27 north, range 6 east; thence south five miles to the southeast corner of section 33, township 27 north, range 6 east; thence east along township line between townships 26 and 27, six and one half miles, to the northeast corner of the northwest quarter section 3, township 26 north, range 7 east; thence south two miles to the southeast corner of the southwest quarter section 10, township 26 north, range 7 east; thence east four and one half miles to the southeast corner of section 8, township 26 north, range 8 east; thence north four miles to the northwest corner of section 28, township 27 north, range 8 east, Gila and Salt River base and meridian; thence east one mile to the southeast corner of section 21; thence north four miles to the northeast corner of section 4, township 27 north, range 8 east, thence east along township line between townships 27 and 28 north to its intersection with the Little Colorado River; thence up the middle of that stream to the intersection of the present west boundary of the Leupp Extension Reservation created by Executive order of November 14, 1901; thence south along the present western boundary of said extension to where it intersects the fifth standard parallel north; thence east along said standard parallel to the southwest corner of township 21 north, range 26 east, Gila and Salt River base and meridian; thence

Navajo Indian Reservation, Ariz.
Exterior Boundaries defined.
15 Stat., 667, vol. 2, 1015.
Post, 384.
Description.

Executive order.
Vol. 1, 877.

north six miles to the northwest corner of township 21 north, range 26 east; thence east twelve miles to the northeast corner of township 21 north, range 27 east; thence south two miles; thence east twelve miles; thence south four miles; thence east along the township line between townships 20 and 21 north to the boundary line between the States of New Mexico and Arizona; thence north along said boundary line to the point of beginning. All vacant, unreserved, and unappropriated public lands, including all temprorary withdrawals of public lands in Arizona heretofore made for Indian purposes by Executive order or otherwise within the boundaries defined by this Act, are hereby permanently withdrawn from all forms of entry or disposal for the benefit of the Navajo and such other Indians as may already be located thereon; however, nothing herein contained shall affect the existing status of the Moqui (Hopi) Indian Reservation created by Executive order of December 16, 1882. There are hereby excluded from the reservation as above defined all lands heretofore designated by the Secretary of the Interior pursuant to section 28 of the Arizona Enabling Act of June 20, 1910 (36 Stat.L 575), as being valuable for water-power purposes and all lands withdrawn or classified as power-site lands, saving to the Indians, nevertheless, the exclusive right to occupy and use such designated and classified lands until they shall be required for power purposes or other uses under the authority of the United States: *Provided*, That nothing in this Act contained shall be construed as authorizing the payment of proceeds or royalties to the Navajo Indians from water power developed within the areas added to the Navajo Reservation pursuant to section 1 of this Act; and the Federal Water Power Act of June 10, 1920 (41 Stat.L. 1063), and amendments thereto, shall operate for the benefit of the State of Arizona as if such lands were vacant, unreserved, and unappropriated public lands. All valid rights and claims initiated under the public land laws prior to approval hereof involving any lands within the areas so defined, shall not be affected by this Act.

Moqui Indian Reservation, not affected.

Lands suitable for power sites excluded.
36 Stat., 575, vol. 3, 467.

Proviso.
Payment of royalties to Indians, not authorized.

41 Stat., 1063.

Prior legal rights protected.

SEC. 2. The Secretary of the Interior is hereby authorized in his discretion, under rules and regulations to be prescribed by him, to accept relinquishments and reconveyances to the United States of such privately owned lands, as in his opinion are desirable for and should be reserved for the use and benefit of the Navajo Tribe of Indians, including patented and nonpatented Indian allotments and selections, within the counties of Apache, Navajo, and Coconino, Arizona; and any Indian so relinquishing his or her right shall be entitled to make lieu selections within the areas consolidated for Indian purposes by this Act. Upon conveyance to the United States of a good and sufficient title to any such privately owned land, except Indian allotments and selections, the owners thereof, or their assigns, are hereby authorized, under regulations of the Secretary of the Interior, to select from the unappropriated, unreserved, and nonmineral public lands of the United States within said counties in the State of Arizona lands approximately equal in value to the lands thus conveyed, and where surrendered lands contain springs or living waters, selection of other lands taken in lieu thereof may be of like character or quality, such values to be determined by the Secretary of the Interior, who is hereby authorized to issue patents for the lieu lands so selected. In all selections of lieu lands under section 2 of this Act notice to any interested party shall be by publication. Any privately owned lands relinquished to the United States under section 2 of this Act shall be held in trust for the Navajo Tribe of Indians; and relinquishments in Navajo County, Arizona, excluding

Landowners within may relinquish holdings and select lien lands from public domain.

Indian allotments excepted.

Notice of selections to be by publication.
Relinquished lands to be held in trust for Navajos.
Area limited.

Indian allotments and selections, shall not extend south of the township line between townships 20 and 21 north, Gila and Salt River base and meridian. The State of Arizona may relinquish such tracts of school land within the boundary of the Navajo Reservation, as defined by section 1 of this Act, as it may see fit in favor of said Indians, and shall have the right to select other unreserved and nonmineral public lands contiguous and noncontiguous, located within the three counties involved equal in value to that relinquished, said lieu selections to be made in the same manner as is provided for in the Arizona Enabling Act of June 20, 1910 (36 Stat. L. 558), except as to the payment of fees or commissions which are hereby waived. Pending the completion of exchanges and consolidations authorized by section 2 of this Act, no further allotments of public lands to Navajo Indians shall be made in the counties of Apache, Navajo, and Coconino, Arizona, nor shall further Indian homesteads be initiated or allowed in said counties to Navajo Indians under the Act of July 4, 1884 (23 Stat. L. 96); and thereafter should allotments to Navajo Indians be made within the above-named counties, they shall be confined to land within the boundaries defined by section 1 of this Act.

Exchanges permitted Arizona.
36 Stat., 558, vol. 3, 467.

Payment of fees waived.

No further allotments to Navajos in designated counties.

23 Stat., 96, vol. 1, 220.

SEC. 3. Upon the completion of exchanges and consolidations authorized by section 2 of this Act, the State of Arizona may, under rules and regulations to be prescribed by the Secretary of the Interior, relinquish to the United States such of its remaining school lands in Coconino, Navajo, and Apache Counties as it may see fit; and shall have the right to select from the vacant, unreserved, and nonmineral public lands in said counties lieu lands equal in value to those relinquished without the payment of fees or commissions.

Arizona may select its school lands in area, after completing exchanges, etc.

SEC. 4. For the purpose of purchasing privately owned lands, together with the improvements thereon, within the boundaries above defined, there is hereby authorized to be appropriated, from any funds in the Treasury not otherwise appropriated, the sum of $481,879.38, which sum shall be reimbursable from funds accruing to the Navajo tribal funds as and when such funds accrue and shall remain available until expended: *Provided*, That title to the land so purchased may, in the discretion of the Secretary of the Interior, be taken for the surface only: *Provided further*, That said funds may be used in purchasing improvements on any land within said boundaries or on leased State school land within the boundaries above defined, provided the State of Arizona agrees to the assignment of said leases to the Navajo Tribe of Indians on a renewable and preferential basis, and provided the Legislature of said State enacts such laws as may be necessary to avail itself of the exchange provisions contained in section 2 of this Act, and disclaim any right, title, or interest in and to any improvements on said lands.

Acquisition through purchase of certain property within.

Sum authorized; reimbursable.

Provisos.
Title may be for surface only.
Use of funds for improvements.

Approved, June 15, 1934.

CHAP. 539.—An Act To amend the law relating to timber operations on the Menominee Indian Reservation in Wisconsin

June 15, 1934.
[H. R. 7759.]
48 Stat., 964.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Act approved March 28, 1908 (35 Stat. L. 51), entitled "An Act to authorize the cutting of timber, the manufacture and sale of lumber, and the preservation of the forests on the Menominee Indian Reservation in the State of Wisconsin", be, and is hereby, amended by adding at the end thereof the following: "The Secretary of the Interior shall at the end of each fiscal year ascertain and fix the fair

Menominee Indian Reservation, Wis., timber operations.
35 Stat., 52, amended, vol. 3, 317.
Fair market stumpage value of timber cut during fiscal year to be fixed.

Payment to members.

market stumpage value of the fully matured and ripened green timber cut on said reservation during the fiscal year and shall during the succeeding fiscal year pay said amount in equal shares to each member of the Menominee Tribe of Indians, living and on the tribal rolls, on the last day of said fiscal year: *Provided*, That said amount so distributed during any fiscal year shall not exceed the amount actually earned from timber operations on said reservation during the previous fiscal year. The expenditures proposed for the purposes specified herein shall be submitted to the tribal council, or its authorized business committee, for its advance review and approval."

Proviso.
Limitation on amount.

Expenses proposed subject to review, etc., by tribal council.

Approved, June 15, 1934.

June 15, 1934.
[H. R. 8541.]
48 Stat., 965.

CHAP. 540.—An Act To provide for the enrollment of members of the Menominee Indian Tribe of the State of Wisconsin

Menominee Indians of Wisconsin.
Certified roll of members to be prepared.

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 hereby authorized and directed to prepare a certified roll of the members of the Menominee Indian Tribe in the State of Wisconsin and from time to time to add names to such roll in accordance with the provisions of this Act, which roll shall constitute the official roll of members of said tribe for all purposes.

Present enrollment to be used as basis.

The names of all persons on the tribal rolls on the date of the enactment of this Act shall automatically be placed on the roll authorized to be prepared under the provisions of this Act and shall be used as a basis for the compilation and preparation of said roll by the Secretary of the Interior.

Additional qualified persons.

The Secretary of the Interior shall, from time to time, place on said roll the names of such additional persons as are entitled to the privilege of enrollment under the provisions of this Act.

Application for enrollment.

SEC. 2. Any person whose name is not on the roll of the Menominee Indian Tribe on the date of the enactment of this Act may at any time hereafter apply to the Secretary of the Interior to have his name placed thereon. Such application shall be in writing, shall contain such information as the Secretary of the Interior may require, and shall be subscribed and sworn to before an official authorized to administer oaths; except that in the case of minors under the age of eighteen years and in the case of persons who are mentally incompetent, such application may be executed by any member of the Menominee Tribe of Indians in behalf of such minor or mentally incompetent person.

Certification of list of applicants.

SEC. 3. At the end of each fiscal year, the Secretary of the Interior shall compile a list of all persons who have applied for enrollment as a member of the Menominee Indian Tribe during the past fiscal year, and he shall certify such list of applicants to the general council of the Menominee Indian Tribe requesting said general council to investigate the qualifications of such applicants and to report its findings to the Secretary of the Interior. The Secretary of the Interior shall take no action on any application for enrollment until after the expiration of one year from the date the certified list of applicants was forwarded to the general council of the Menominee Indian Tribe, unless the said general council of the Menominee Indian Tribe shall have previously filed its findings and recommendations with reference thereto with the Secretary of the Interior.

Eligibility to enrollment.

SEC. 4. No person whose name does not appear on the tribal roll of the Menominee Indian Tribe on the date of the enactment of this Act shall hereafter be eligible to enrollment unless he possesses at least one fourth of Menominee Indian blood, and any person possess-

ing one fourth or more of Menominee Indian blood who has been or may be born of parents residing, at the time of such birth, upon the Menominee Reservation, at least one of whom is an enrolled member of the Menominee Tribe, or who has been or may be adopted by the Menominee Tribe, shall be entitled to have his name placed on the tribal roll by the Secretary of the Interior in the manner provided for in this Act and shall be entitled to all the privileges of membership in said tribe: *Provided*, That no person who participated in the so-called "Half-Breed Payment of 1849" shall, for the purposes of enrollment as a member of the tribe, be considered as possessing any Menominee Indian blood, and no person claiming to possess one fourth or more of Menominee Indian blood shall hereafter be placed on the tribal roll unless he can establish the fact that he possesses the required one fourth or more of Menominee Indian blood as a descendant of a person or persons possessing Menominee Indian blood other than those persons who participated in the so-called "Half-Breed Payment of 1849."

Adopted member.

Proviso.
Persons excluded.

SEC. 5. No person whose name shall hereafter be placed on the roll of the Menominee Indian Tribe shall be entitled to any back annuities or per capita payments made to the members of the tribe out of tribal funds which were authorized to be paid to the members of said tribe before such person's name shall have been placed upon such roll.

Back annuities or per capita payments denied.

SEC. 6. Any person whose application for enrollment as a member of the Menominee Indian Tribe is denied by the Secretary of the Interior shall have the right to appeal to the Federal District Court for the Eastern District of Wisconsin at any time within two years after the denial of such application by the said Secretary of the Interior, and the general council of the Menominee Indian Tribe shall have the right to appeal to said court from any order or decision of the Secretary of the Interior granting any such application or placing the name of any applicant on the tribal roll, at any time within two years after such order or decision of the Secretary of the Interior. Notice of such appeal and of the hearing thereof shall be given to the Secretary of the Interior, the applicant and the general council of the Menominee Indian Tribe, in such manner as the court, by order, shall direct: *Provided*, That failure on the part of the Secretary of the Interior to approve or deny any application, within two years after the same has been filed with him, shall, for the purposes of this section, be deemed a denial of such application. Said district court shall consider all affidavits on file with the Secretary of the Interior with reference to the particular application and shall also consider such additional evidence as may be presented in the form of affidavits or otherwise by any of the parties in interest and shall hear such witnesses in open court as either party may present, and at the conclusion thereof the court shall either affirm or deny the right of said applicant to enrollment as a member of the Menominee Indian Tribe, which judgment shall be conclusive. In the event the court decides that the applicant is entitled to enrollment, the court shall order the Secretary of the Interior to place the applicant's name on the tribal roll as of the date upon which said application was denied by the Secretary of the Interior.

Appeal of enrollment decision.

Notice and hearing thereon.

Proviso.
Failure to approve deemed a denial.

Court to consider affidavits and other evidence presented.

Judgment conclusive.

SEC. 7. The provisions of this Act shall be applicable to the enrollment of members of the Menominee Indian Tribe of the State of Wisconsin notwithstanding any conflicting tribal custom of said tribe, and any Act or Acts of Congress in conflict with the provisions of this Act are hereby repealed insofar as same relates to the Menominee Indians.

Conflicting tribal custom or act of Congress repealed.

Approved, June 15, 1934.

June 16, 1934.
[S. 74.]
48 Stat., 972.

CHAP. 548.—An Act To authorize payment of expenses of formulating claims of the Kiowa, Comanche, and Apache Indians of Oklahoma against the United States, and for other purposes

Kiowa,, etc., Indians of Oklahoma.
Payment of expenses in formulating claims of, authorized.
From tribal funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be expended, out of the Kiowa Agency Hospital 4 per centum fund, not to exceed the sum of $10,000, to pay the expenses of the Kiowa, Comanche, and Apache tribal council in the formulation of any claims of said tribes against the United States. Such expenses shall include traveling and other expenses of members of the tribal council, or committees thereof, including visits to Washington, District of Columbia, when duly authorized or approved by the Secretary of the Interior; costs of procuring the attendance of witnesses, and the expenses of attorneys employed under contract in accordance with existing law. All claims for expenses hereunder shall be presented and paid in conformity with existing regulations.

Expenditures included.

Approved, June 16, 1934.

June 16, 1934.
[S. 3117.]
48 Stat., 972.

CHAP. 549.—An Act Authorizing and directing the Court of Claims, in the event of judgment or judgments in favor of the Cherokee Indians, or any of them, in suits by them against the United States under the Acts of March 19, 1924, and April 25, 1932, to include in its decrees allowances to Frank J. Boudinot, not exceeding 5 per centum of such recoveries, and for other purposes

Frank J. Boudinot.
Compensation to, for services in suits by Cherokee Nation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in compliance with request of the Cherokee Indians upon final determination by the Court of Claims of any suit or suits against the United States by the said Indians, sometimes known as the "Cherokee Nation," or by any class, classes, or bands thereof, commenced and prosecuted under the authority of the Acts of Congress approved March 19, 1924 (43 Stat. L. 27), and/or April 25, 1932 (47 Stat. L. 137), and in the event judgment or judgments shall be rendered in favor of said Indians, or any of them, the said Court of Claims is hereby authorized and directed to include in its decrees allowances to Frank J. Boudinot, a member of the Cherokee Tribe of Indians, who has for many years been active in pressing the claims of the Cherokees against the United States by their request and direction and at his own expense, or to his heirs, personal representatives, or assigns, a reasonable percentage, not to exceed 5 per centum, of such recoveries: *Provided*, That such allowances to said Frank J. Boudinot shall be in addition to any and all fees and expenses authorized by said Acts of Congress of March 19, 1924, and April 25, 1932; and this Act shall not be construed to affect in any way the contracts with attorneys entered into thereunder.[1]

43 Stat., 27, vol. 4, 403; 47 Stat., 137; ante, 279.

Approved, June 16, 1934.

June 18, 1934.
[S. 1735.]
48 Stat., 979.

CHAP. 568.—An Act to amend an Act approved May 14, 1926 (44 Stat. 555), entitled "An Act authorizing the Chippewa Indians of Minnesota to submit claims to the Court of Claims"[2]

Chippewa Indians of Minnesota.
44 Stat., 555, amended, vol. 4, 546.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of an Act approved May 14, 1926 (44 Stat. 555), be, and the same is hereby, amended to read as follows:

Adjudication of claims of, against United States.

"SECTION 1. That jurisdiction be, and is hereby, conferred upon the Court of Claims, with right of appeal to the Supreme Court

[1] 82 Ct. Cls., 556; 88 Ct. Cls., 452.
[2] 301 U. S., 358; 305 U. S. 483; 307 U. S. 2. 87 Ct. Cls. 1; 88 Ct. Cls., 1.

of the United States by either party as in other cases, notwithstanding the lapse of time or statute of limitations, to hear, examine, and adjudicate and render judgment in any and all legal and equitable claims arising under or growing out of the Act of January 14, 1889 (25 Stat. L. 642), or arising under or growing out of any subsequent Act of Congress in relation to Indian Affairs which said Chippewa Indians of Minnesota may have against the United States, which claims have not heretofore been determined and adjudicated on their merits by the Court of Claims or the Supreme Court of the United States. In any such suit or suits the plaintiffs, the Chippewa Indians of Minnesota, shall be considered as including and representing all those entitled to share in the final distribution of the permanent fund provided for by section 7 of the Act of January 14, 1889 (25 Stat. L. 642), and the agreements entered into thereunder: *Provided*, That nothing herein shall be construed to affect the powers of the Secretary of the Interior to determine the roll or rolls of the Chippewa Indians of Minnesota for the purpose of making any distribution of the permanent Chippewa fund or of the interest accruing thereon or of the proceeds of any judgments: *Provided further*, That nothing herein shall be construed to authorize the submission to the Court of Claims for determination of any individual claim or claims to enrollment with the Chippewa Indians of Minnesota or to share in the interest or principal of the permanent Chippewa fund or in any funds hereafter acquired: *Provided further*, That the qualifications necessary to such enrollment shall not be changed or affected in any manner by the provisions of this Act.

25 Stat., 642, vol. 1, 301.

Plaintiffs to include all who are entitled to share in final disposition of permanent fund.

Provisos.
Determining rolls for distributing Indian funds.

Individual claims not admitted.

Qualifications to such enrollment.

Approved, June 18, 1934.

CHAP. 570.—An Act to amend the Act approved June 28, 1932 (47 Stat. L. 337)

June 18, 1934.
[S. 3147.]
48 Stat., 980.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved June 28, 1932 (47 Stat. L. 337), be, and the same is hereby, amended by striking out in the eighth line thereof the word "three" and substituting therefor the word "five."

Chippewa Indians of Minnesota.
Contracts with certain attorneys extended.
47 Stat., 337, amended; ante, 289.

Approved, June 18, 1934.

CHAP. 573.—An Act to provide for the creation of the Pioneer Monument in the State of Kentucky, and for other purposes

June 18, 1934.
[S. 3443.]
48 Stat., 982.

Whereas no provision has been made to preserve some of the great shrines of pioneer history that played their part in the drama of the American Revolution, both in resistance to the efforts of the British and their Indian allies to wipe out the American colonists west of the Alleghenies and thus close in on the colonists along the Atlantic seaboard and in waging a counteroffensive that resulted in the conquest and acquisition of the Old Northwest; and

Pioneer National Monument, Ky.
Preamble.

Indian allies.

Whereas four of these shrines in Kentucky represent in continuity a counterpart of the American Revolution east of the Alleghenies, to wit: (1) Boonesborough, where the first fort "in the West" was erected, the first highway to "the West, the Wilderness Road", terminated, the first colonization was effected, and the first legislature met; (2) Boones Station, whence Daniel Boone, as lieutenant colonel of the Fayette County Militia, rushed troops to the assistance of various other besieged stations as well as joined in the retaliatory campaigns under General George Rogers Clark into the Old Northwest, and where he buried his son and nephew, who fell at the Battle of Blue Licks; (3) Bryans Station, where

the women of the fort sallied forth under the rifles of some six hundred Indians to procure water for the besieged pioneers on August 18, 1782, contributing in large measure to the successful defense of the fort; and (4) Blue Licks Battlefield, scene of the accredited "Last Battle of the Revolution", August 19, 1782, which aroused all of the western colonists to unitedly launch a devastating campaign into the Ohio country, under the leadership of General George Rogers Clark, that effectually stopped further invasion of Kentucky by the British and Indians and was the forerunner of the final conquest of the entire Northwest Territory for the United States: Therefore

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when title to the sites of Fort Boonesborough, Boones Station, Bryans Station, and Blue Licks Battlefield, in the State of Kentucky, comprising noncontiguous tracts to be united by a Memorial Highway, together with such historical structures and remains thereon, as may be designated by the Secretary of the Interior as necessary or desirable for national monument purposes and for the proper commemoration of the valor and sacrifices of the pioneers of "the West", shall have been vested in the United States, said areas and improvements shall be designated and set apart by proclamation of the President for preservation as a national monument for the benefit and inspiration of the people, and shall be called the "Pioneer National Monument".

Designated lands to be set apart as, when title vested in United States.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land, interests in land and/or buildings, structures, and other property within the boundaries of said national monument as determined and fixed hereunder, and donations of funds for the purchase and/or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States out of any donated funds, by purchase at prices deemed by him reasonable, or by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within the said national monument as may be necessary for the completion thereof.

Acceptance of donations, etc.

Proviso.
Purchase of tracts from funds donated.

SEC. 3. That the administration, protection, and development of the aforesaid national monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes", as amended.

Administration.
39 Stat., 535.

Approved, June 18, 1934.

June 18, 1934.
[S. 3645.]
48 Stat., 984.

CHAP. 576.—An Act To conserve and develop Indian lands and resources; to extend to Indians the right to form business and other organizations; to establish a credit system for Indians; to grant certain rights of home rule to Indians; to provide for vocational education for Indians; and for other purposes

Be it enacted by the Senate and House of Representativs of the United States of America in Congress assembled, That hereafter no land of any Indian reservation, created or set apart by treaty or agreement with the Indians, Act of Congress, Executive order, purchase, or otherwise, shall be allotted in severalty to any Indian.[1]

Indian affairs.
Future allotment in severalty prohibited.

[1] 89 Fed. (2), 312; 55 I. D. D., 16, 48, 276, 295, 984; 56 I. D. D., 3, 113, 138, 146. 38 Opp. Atty. Gen., 123.

Existing trust periods extended.

SEC. 2. The existing periods of trust placed upon any Indian lands and any restriction on alienation thereof are hereby extended and continued until otherwise directed by Congress.

Restoration of lands to tribal ownership.

SEC. 3. The Secretary of the Interior, if he shall find it to be in the public interest, is hereby authorized to restore to tribal ownership the remaining surplus lands of any Indian reservation heretofore opened, or authorized to be opened, to sale, or any other form of disposal by Presidential proclamation, or by any of the public-land laws of the United States: *Provided, however*, That valid rights or claims of any persons to any lands so withdrawn existing on the date of the withdrawal shall not be affected by this Act: *Provided further*, That this section shall not apply to lands within any reclamation project heretofore authorized in any Indian reservation: *Provided further*, That the order of the Department of the Interior signed, dated, and approved by Honorable Ray Lyman Wilbur, as Secretary of the Interior, on October 28, 1932, temporarily withdrawing lands of the Papago Indian Reservation in Arizona from all forms of mineral entry or claim under the public land mining laws, is hereby revoked and rescinded, and the lands of the said Papago Indian Reservation are hereby restored to exploration and location, under the existing mining laws of the United States, in accordance with the express terms and provisions declared and set forth in the Executive orders establishing said Papago Indian Reservation: *Provided further*, That damages shall be paid to the Papago Tribe for loss of any improvements on any land located for mining in such a sum as may be determined by the Secretary of the Interior but not to exceed the cost of said improvements: *Provided further*, That a yearly rental not to exceed five cents per acre shall be paid to the Papago Tribe for loss of the use or occupancy of any land withdrawn by the requirements of mining operations, and payments derived from damages or rentals shall be deposited in the Treasury of the United States to the credit of the Papago Tribe: *Provided further*, That in the event any person or persons, partnership, corporation, or association, desires a mineral patent, according to the mining laws of the United States, he or they shall first deposit in the Treasury of the United States to the credit of the Papago Tribe the sum of $1.00 per acre in lieu of annual rental, as hereinbefore provided, to compensate for the loss or occupancy of the lands withdrawn by the requirements of mining operations: *Provided further*, That patentee shall also pay into the Treasury of the United States to the credit of the Papago Tribe damages for the loss of improvements not heretofore paid in such a sum as may be determined by the Secretary of the Interior, but not to exceed the cost thereof; the payment of $1.00 per acre for surface use to be refunded to patentee in the event that patent is not acquired.

Provisos.
Existing valid rights not affected.

Lands in reclamation projects.

Order temporarily withdrawing Papago Reservation lands from mineral entry, etc., revoked.

Resulting damages to be paid tribe; limitation.

Annual rental to be paid.

Applicant for mineral patent must first make deposit of rent.

Patentee to pay, to credit of Indians, damages, for loss of improvements.

Refund, if not acquired.

Nothing herein contained shall restrict the granting or use of permits for easements or rights-of-way; or ingress or egress over the lands for all proper and lawful purposes; and nothing contained herein, except as expressly provided, shall be construed as authority for the Secretary of the Interior, or any other person, to issue or promulgate a rule or regulation in conflict with the Executive order of February 1, 1917, creating the Papago Indian Reservation in Arizona or the Act of February 21, 1931 (46 Stat. 1202).[2]

Rights of way, etc., not restricted.

Vol. 4, 1005.
46 Stat., 1202; ante, 230.

SEC. 4. Except as herein provided, no sale, devise, gift, exchange or other transfer of restricted Indian lands or of shares in the assets of any Indian tribe or corporation organized hereunder, shall be

No transfers of restricted Indian lands, etc.; exception.

[2] 54 I. D. D., 559, 563; 56 I. D. D., 330.

Proviso.
Lands amy descend only to Indian tribe or sucessor corporation.

Descent, etc., according to applicable laws.

Voluntary exchanges for proper consolidations.

made or approved: *Provided, however*, That such lands or interests may, with the approval of the Secretary of the Interior, be sold, devised, or otherwise transferred to the Indian tribe in which the lands or shares are located or from which the shares were derived or to a successor corporation; and in all instances such lands or interests shall descend or be devised, in accordance with the then existing laws of the State, or Federal laws where applicable, in which said lands are located or in which the subject matter of the corporation is located, to any member of such tribe or of such corporation or any heirs of such member: *Provided further*, That the Secretary of the Interior may authorize voluntary exchanges of lands of equal value and the voluntary exchange of shares of equal value whenever such exchange, in his judgment, is expedient and beneficial for or compatible with the proper consolidation of Indian lands and for the benefit of cooperative organizations.[3]

Acquisitions, for providing lands for Indians.

SEC. 5. The Secretary of the Interior is hereby authorized, in his discretion, to acquire through purchase, relinquishment, gift, exchange, or assignment, any interest in lands, water rights or surface rights to lands, within or without existing reservations, including trust or otherwise restricted allotments whether the allottee be living or deceased, for the purpose of providing land for Indians.

Appropriation authorized.

For the acquisition of such lands, interests in lands, water rights, and surface rights, and for expenses incident to such acquisition, there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, a sum not to exceed $2,000,000 in any one fiscal year: *Provided*, That no part of such funds shall be used to acquire additional land outside of the exterior boundaries of Navajo Indian Reservation for the Navajo Indians in Arizona and New Mexico, in the event that the proposed Navajo boundary extension measures now pending in Congress and embodied in the bills (S. 2499 and H. R. 8927) to define the exterior boundaries of the Navajo Indian Reservation in Arizona, and for other purposes, and the bills (S. 2531 and H. R. 8982) to define the exterior boundaries of the Navajo Indian Reservation in New Mexico and for other purposes, or similar legislation, become law.

Proviso.
Not to be used outside boundary lines of Navajo reservation.

Balances available until expended.

The unexpended balances of any appropriations made pursuant to this section shall remain available until expended.

Title vested in United States in trust.
Lands exempt from taxation.

Title to any lands or rights acquired pursuant to this Act shall be taken in the name of the United States in trust for the Indian tribe or individual Indian for which the land is acquired, and such lands or rights shall be exempt from State and local taxation.[4]

Indian forestry units.
Regulations governing.

SEC. 6. The Secretary of the Interior is directed to make rules and regulations for the operation and management of Indian forestry units on the principle of sustained-yield management, to restrict the number of livestock grazed on Indian range units to the estimated carrying capacity of such ranges, and to promulgate such other rules and regulations as may be necessary to protect the range from deterioration, to prevent soil erosion, to assure full utilization of the range, and like purposes.[5]

New Indian reservations on lands acquired by proclamation.

SEC. 7. The Secretary of the Interior is hereby authorized to proclaim new Indian reservations on lands acquired pursuant to any authority conferred by this Act, or to add such lands to existing reservations: *Provided*, That lands added to existing reservations shall be designated for the exclusive use of Indians entitled by enrollment or by tribal membership to residence at such reservations.

Proviso.
Additions, for exclusive use of Indians.

[3] 54 I. D. D., 584.
[4] 89 Fed. (2), 312.
[5] 15 Comp. Gen. Dec., 69.

Holding for homesteads outside of reservations.

SEC. 8. Nothing contained in this Act shall be construed to relate to Indian holdings of allotments or homesteads upon the public domain outside of the geographic boundaries of any Indian reservation now existing or established hereafter.

Sum for defraying expenses of tribal organization herein created.

SEC. 9. There is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, such sums as may be necessary, but not to exceed $250,000 in any fiscal year, to be expended at the order of the Secretary of the Interior, in defraying the expenses of organizing Indian chartered corporations or other organizations created under this Act.

Establishment of revolving fund, to make loans for economic development.

SEC. 10. There is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $10,000,000 to be established as a revolving fund from which the Secretary of the Interior, under such rules and regulations as he may prescribe, may make loans to Indian chartered corporations for the purpose of promoting the economic development of such tribes and of their members, and may defray the expenses of administering such loans. Repayment of amounts loaned under this authorization shall be credited to the revolving fund and shall be available for the purposes for which the fund is established. A report shall be made annually to Congress of transactions under this authorization.

Repayments to be credited to revolving fund.

Report to Congress.

Vocational and trade school.

Annual appropriation for loans, to provide payment for tuition, etc.

SEC. 11. There is hereby authorized to be appropriated, out of any funds in the United States Treasury not otherwise appropriated, a sum not to exceed $250,000 annually, together with any unexpended balances of previous appropriations made pursuant to this section, for loans to Indians for the payment of tuition and other expenses in recognized vocational and trade schools: *Provided*, That not more than $50,000 of such sum shall be available for loans to Indian students in high schools and colleges. Such loans shall be reimbursable under rules established by the Commissioner of Indian Affairs.[6]

Proviso.
Indian students in secondary, etc., schools.

Reimbursable.

Standards of health, ability, etc., to established.

Appointments.

SEC. 12. The Secretary of the Interior is directed to establish standards of health, age, character, experience, knowledge, and ability for Indians who may be appointed, without regard to civil-service laws, to the various positions maintained, now or hereafter, by the Indian Office, in the administration of functions or services affecting any Indian tribe. Such qualified Indians shall hereafter have the preference to appointment to vacancies in any such positions.

Provisions dealing with Indian corporations, education, etc., applicable to Alaska.

Designated sections inapplicable to various tribes.

SEC. 13. The provisions of this Act shall not apply to any of the Territories, colonies, or insular possessions of the United States, except that sections 9, 10, 11, 12, and 16, shall apply to the Territory of Alaska: *Provided*, That Sections 2, 4, 7, 16, 17, and 18 of this Act shall not apply to the following-named Indian tribes, the members of such Indian tribes, together with members of other tribes affiliated with such named tribes located in the State of Oklahoma, as follows: Cheyenne, Arapaho, Apache, Comanche, Kiowa, Caddo, Delaware, Wichita, Osage, Kaw, Otoe, Tonkawa, Pawnee, Ponca, Shawnee, Ottawa, Quapaw, Seneca, Wyandotte, Iowa, Sac and Fox, Kickapoo, Pottawatomi, Cherokee, Chickasaw, Choctaw, Creek, and Seminole. Section 4 of this Act shall not apply to the Indians of the Klamath Reservation in Oregon.

Protecting treaty rights with Sioux Indians.

Continuation of allowances, etc.

23 Stat., 894, vol. 1. 335; 29 Stat., 334, vol. 1, 598; 35 Stat., 451, vol. 3. 364.

SEC. 14. The Secretary of the Interior is hereby directed to continue the allowance of the articles enumerated in section 17 of the Act of March 2, 1889 (23 Stat.L. 894), or their commuted cash value under the Act of June 10, 1896 (29 Stat.L. 334), to all Sioux Indians who would be eligible, but for the provisions of this Act, to receive allotments of lands in severalty under section 19 of the

[6] 55 I. D. D., 395, 436.

Act of May 29, 1908 (25 (35) Stat.L. 451), or under any prior Act, and who have the prescribed status of the head of a family or single person over the age of eighteen years, and his approval shall be final and conclusive, claims therefor to be paid as formerly from the permanent appropriation made by said section 17 and carried on the books of the Treasury for this purpose. No person shall receive in his own right more than one allowance of the benefits, and application must be made and approved during the lifetime of the allottee or the right shall lapse. Such benefits shall continue to be paid upon such reservation until such time as the lands available therein for allotment at the time of the passage of this Act would have been exhausted by the award to each person receiving such benefits of an allotment of eighty acres of such land.

No person to receive more than one allowance.

No Indian claim or suit impaired by this Act.

SEC. 15. Nothing in this Act shall be construed to impair or prejudice any claim or suit of any Indian tribe against the United States. It is hereby declared to be the intent of Congress that no expenditures for the benefit of Indians made out of appropriations authorized by this Act shall be considered as offsets in any suit brought to recover upon any claim of such Indians against the United States.

Indians residing on same reservation may organize for common welfare.

SEC. 16. Any Indian tribe, or tribes, residing on the same reservation, shall have the right to organize for its common welfare, and may adopt an appropriate constitution and bylaws, which shall become effective when ratified by a majority vote of the adult members of the tribe, or of the adult Indians residing on such reservation, as the case may be, at a special election authorized and called by the Secretary of the Interior under such rules and regulations as he may prescribe. Such constitution and bylaws when ratified as aforesaid and approved by the Secretary of the Interior shall be revocable by an election open to the same voters and conducted in the same manner as hereinabove provided. Amendments to the constitution and bylaws may be ratified and approved by the Secretary in the same manner as the original constitution and bylaws.

Effective, when ratified.

Revocation, amendments, etc.

Additional powers vested in tribe.

In addition to all powers vested in any Indian tribe or tribal council by existing law, the constitution adopted by said tribe shall also vest in such tribe or its tribal council the following rights and powers: To employ legal counsel, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior; to prevent the sale, disposition, lease, or encumbrance of tribal lands, interests in lands, or other tribal assets without the consent of the tribe; and to negotiate with the Federal, State, and local Governments. The Secretary of the Interior shall advise such tribe or its tribal counsel of all appropriation estimates or Federal projects for the benefit of the tribe prior to the submission of such estimates to the Bureau of the Budget and the Congress.

Secretary to acquaint tribe of contemplated appropriation estimates.

Charters.
Issue of, to each tribe, upon petition therefor.
Proviso.
Ratification condition precedent to operation.
Powers conferred.

SEC. 17. The Secretary of the Interior may, upon petition by at least one-third of the adult Indians, issue a charter of incorporation to such tribe: *Provided*, That such charter shall not become operative until ratified at a special election by a majority vote of the adult Indians living on the reservation. Such charter may convey to the incorporated tribe the power to purchase, take by gife, or bequest, or otherwise, own, hold, manage, operate, and dispose of property of every description, real and personal, including the power to purchase restricted Indian lands and to issue in exchange therefor interests in corporate property, and such further powers as may be incidental to the conduct of corporate business, not inconsistent with law, but no authority shall be granted to sell, mortgage, or lease for

a period exceeding ten years any of the land included in the limits of the reservation. Any charter so issued shall not be revoked or surrendered except by Act of Congress.

Revocation.

SEC. 18. This Act shall not apply to any reservation wherein a majority of the adult Indians, voting at a special election duly called by the Secretary of the Interior, shall vote against its application. It shall be the duty of the Secretary of the Interior, within one year after the passage and approval of this Act, to call such an election, which election shall be held by secret ballot upon thirty days' notice.

Inapplicable to reservation rejecting proposition.

SEC. 19. The term "Indian" as used in this Act shall include all persons of Indian descent who are members of any recognized Indian tribe now under Federal jurisdiction, and all persons who are descendants of such members who were, on June 1, 1934, residing within the present boundaries of any Indian reservation, and shall further include all other persons of one-half or more Indian blood. For the purposes of this Act, Eskimos and other aboriginal peoples of Alaska shall be considered Indians. The term "tribe" wherever used in this Act shall be construed to refer to any Indian tribe, organized band, pueblo, or the Indians residing on one reservation. The words "adult Indians" wherever used in this Act shall be construed to refer to Indians who have attained the age of twenty-one years.

Term "Indian" defined.

"Tribe."

"Adult Indians."

Approved, June 18, 1934.

CHAP. 586.—An Act To increase employment by authorizing an appropriation to provide for emergency construction of public highways and related projects, and to amend the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, and for other purposes

June 18, 1934.
[H. R. 8781.]
48 Stat., 992.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of increasing employment by providing for emergency construction of public highways and other related projects there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $200,000,000, which shall be apportioned by the Secretary of Agriculture immediately upon the passage of this Act under the provisions of section 204 of the National Industrial Recovery Act, approved June 16, 1933 (in addition to any sums heretofore allocated under such section), in making grants under said section to the several States to be expended by their highway departments pursuant to the provisions of such section, and to remain available until expended: *Provided*, That the Secretary of Agriculture shall act upon projects submitted to him under his apportionment of this authorization, and his approval of any such project shall be deemed a contractual obligation of the Federal Government for the payment of its proportional contribution thereto: *Provided further*, That not less than 25 per centum of the apportionment to any State shall be applied to secondary or feeder roads, including farm to market roads, rural free delivery mail roads, and public-school bus routes, except that the Secretary of Agriculture, upon request and satisfactory showing from the highway department of any State, may fix a less percentage of the apportionment of such State for expenditure on secondary or feeder roads: *And provided further*, That any funds allocated under the provisions of section 204 (a) (2) of such Act shall also be available for the cost of any construction that will provide safer traffic facili-

Emergency construction of public highways, etc.
Appropriation authorized.

Apportionment of among the several
48 Stat., 202.
48 Stat., 203.

Expenditure.

Provisos.
Approval by Secretary of Agriculture; effect.

Amount for secondary and feeder roads.

Constructing safer traffic facilities, etc.

ties or definitely eliminate existing hazards to pedestrian or vehicular traffic.

* * * * * * *

Cooperative road construction through public lands, Federal reservations, etc.

Post, 633.

Maintenance of main roads.

SEC. 6. For the purpose of carrying out the provisions of section 3 of the Federal Highway Act, approved November 9, 1921, as amended June 24, 1930 (46 Stat. 805), there is hereby authorized to be appropriated for the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations, the sum of $2,500,000 for the fiscal year ending June 30, 1936, and the sum of $2,500,000 for the fiscal year ending June 30, 1937, to remain available until expended.

* * * * * * *

Indian reservations. Constructing roads in, not eligible, under Federal Highway Act. 45 Stat., 750; ante, 57.

SEC. 8. For construction and improvement of Indian reservation roads under the provisions of the Act approved May 26, 1928 (45 Stat. 750), there is hereby authorized to be appropriated the sum of $4,000,000 for the fiscal year ending June 30, 1936, and the sum of $4,000,000 for the fiscal year ending June 30, 1937.

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Approved, June 18, 1934.

June 19, 1934. [H. R. 9830.]

48 Stat., 1021.

CHAP. 648.—An Act Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1934, and prior fiscal years, to provide supplemental general and emergency appropriations for the fiscal years ending June 30, 1934, and June 30, 1935, and for other purposes

Emergency Appropriation Act, fiscal year 1935.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1934, and prior fiscal years, to provide supplemental general and emergency appropriations for the fiscal years ending June 30, 1934, and June 30, 1935, and for other purposes, namely:

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Department of the Interior.

DEPARTMENT OF THE INTERIOR

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BUREAU OF INDIAN AFFAIRS

Indian Affairs Bureau.

Indian supplies.

Purchase and transportation of Indian supplies: For an additional amount for expenses of purchase and transportation of goods and supplies for the Indian Service, fiscal year 1933, $117,500.

Navajo Indians, Ariz. Purchase of land, etc. Ante, 371.

Purchase of land for the Navajo Indians, Arizona, reimbursable: For the purchase of land, and improvements thereon, including water rights, for the Navajo Indians in Arizona, as authorized by and in conformity with the provisions of the Act of June 14, 1934 (Public Numbered 352, Seventy-third Congress), $481,879.38, reimbursable.

Middle Rio Grande conservancy district, N. Mex., expenses.

Middle Rio Grande conservancy district, New Mexico (reimbursable): To complete payment to the Middle Rio Grande conservancy district in accordance with the provisions of the Act entitled "An Act authorizing the Secretary of the Interior to execute an agreement with the Middle Rio Grande conservancy district providing for conservation, irrigation, drainage, and flood control for the Pueblo Indian lands in the Rio Grande Valley, New Mexico, and for other purposes", approved March 13, 1928 (45 Stat., 312), fiscal

45 Stat., 312; ante, 34, 121. 46 Stat., 1128, 1567; ante, 214, 242.

years 1934 and 1935, $400,000, or so much thereof as may be necessary, reimbursable as provided in such Act.

Uintah Reservation, Utah.
Irrigation system.
34 Stat., 375, vol. 3, 242.

Irrigation system, Uintah Reservation, Utah (tribal funds): For an additional amount for continuing operation and maintenance and betterment of the irrigation system to irrigate allotted lands of the Uncompahgre, Uintah, and White River Utes in Utah, authorized under the Act of June 21, 1906 (34 Stat., 375), fiscal year 1934, $7,000, to be paid from tribal funds held by the United States in trust for said Indians and to be reimbursed to the tribal funds by the individuals benefited under such rules and regulations as may be prescribed by the Secretary of the Interior.

From tribal funds.

Medical relief in Alaska.

Medical relief in Alaska: For an additional amount to meet outstanding obligations in excess of the appropriations for medical relief in Alaska for the fiscal years 1929 and 1930, $28.

Creek Nation.
Paying judgment.

The Creek Nation: The appropriation of $144,106.01 contained in section 4, title I, of this Act for payment of a judgment rendered by the Court of Claims in favor of the Creek Nation shall be placed to the credit of the Creek Nation on the books of the Treasury Department and such sum is hereby appropriated and, after deducting the attorneys' fees and expenses allowed by the Court of Claims and the estimated expenses of making the roll and the payment herein provided for, shall be paid by the Secretary of the Interior per capita to the members of the Creek Tribe of Indians entitled thereto or their heirs, upon a roll made as of date of December 4, 1933, under the direction of and approved by the Secretary of the Interior.

* * * * * * *

AUDITED CLAIMS

Audited claims.
Payment of.
18 Stat., 110.
U. S. C., p. 1022.

SEC. 5. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1931 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in House Document Numbered 323, Seventy-third Congress, there is appropriated as follows.

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DEPARTMENT OF THE INTERIOR

Department of the Interior.

* * * * * * *

For pay of Indian police, $16.88.

For Indian boarding schools, $250.20.

For industry among Indians, $2,002.88.

For conservation of health among Indians, $426.

For education of natives of Alaska, $9.82.

For Indian school support, $106.86.

For relieving distress and prevention, and so forth, of diseases among Indians, $310.

For suppressing contagious diseases among livestock of Indians, $125.

* * * * * * *

Additional claims, certified by General Accounting Office.

(b) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances

18 Stat., 110.
23 Stat., 254.
U. S. C., pp. 1022, 43.

of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1931 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in Senate Document Numbered 197, Seventy-third Congress, there is appropriated as follows:

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Department of the Interior.

DEPARTMENT OF THE INTERIOR

* * * * * * *

For Indian school support, $5.47

For Indian school buildings, $65.97.

For support of Indians and administration of Indian property, $49.75.

For conservation of health among Indians, $90.

Emergency appropriations.

TITLE II—EMERGENCY APPROPRIATIONS

* * * * * * *

Cooperative road construction through Federal reservations.
46 Stat., 805; post, 633.

For the purpose of carrying out the provisions of section 3 of the Federal Highway Act, approved November 9, 1921, as amended June 24, 1930 (46 Stat. 805), for the survey, construction, reconstruction, and maintenance of roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations, fiscal year 1935, $2,500,000; to remain available until expended.

Interior Department.

DEPARTMENT OF THE INTERIOR

* * * * * * *

Indian Reservation roads.
45 Stat., 750; ante, 57.
Proviso.
Approval required.

For the construction and improvement of Indian reservation roads under the provisions of the Act approved May 26, 1928 (45 Stat. 750), fiscal year 1935, $2,000,000 to remain available until expended: *Provided*, That the location, type, and design of all roads and bridges shall be approved by the Bureau of Public Roads before any expenditures are made thereon, and all such construction done by contract shall be under the general supervision of said Bureau.

* * * * * * *

Approved, June 19, 1934.

June 19, 1934.
[H. R. 3357.]
48 Stat., 1120.

CHAP. 664.—An Act To amend section 99 of the Judicial Code (U. S. C., title 28, sec. 180), as amended

Judicial Code, amendment.
26 Stat., 67; U. S. C., p. 886.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 99 of the Judicial Code, as amended (U. S. C., title 28, sec. 180), be amended to read as follows:

North Dakota.
To constitute one judicial district.
Divisions.

"SEC. 99. The State of North Dakota shall constitute one judicial district to be known as the district of North Dakota. The territory embraced on the 1st day of January 1932, in the counties of Adams, Billings, Bowman, Burleigh, Dunn, Emmons, Golden Valley, Grant, Hettinger, Kidder, Logan, McIntosh, McLean, Mercer, Morton,

Southwestern.

Oliver, Sioux, Slope, and Stark shall constitute the southwestern division of said district; and the territory embraced on the date last mentioned in the counties of Barnes, Cass, Dickey, Eddy, Foster, Griggs, LaMoure, Ransom, Richland, Sargent, Sheridan, Steele,

Southeastern.

Stutsman, and Wells shall constitute the southeastern division; and

the territory embraced on the date last mentioned in the counties of Benson, Bottineau, Cavalier, Grand Forks, Nelson, McHenry, Pembina, Pierce, Ramsey, Rolette, Traill, Towner, and Walsh shall constitute the northeastern division; and the territory embraced on the date last mentioned in the counties of Burke, Divide, McKenzie, Mountrail, Renville, Ward, and Williams shall constitute the northwestern division. The several Indian reservations and parts thereof within said State shall constitute a part of the several divisions within which they are respectively situated. Terms of the district court for the southwestern division shall be held at Bismarck on the second Tuesday in March; for the southeastern division, at Fargo on the second Tuesday in December and at Jamestown on the second Tuesday in October; for the northeastern division, at Devils Lake on the second Tuesday in May and at Grand Forks on the second Tuesday in November; and for the northwestern division, at Minot on the second Tuesday in April. The clerk of the court shall maintain an office in charge of himself or a deputy at each place at which court is held in his district."

Northeastern.

Northwestern.

Indian reservations.

Terms of court.

Clerk's office.

Approved, June 19, 1934.

CHAP. 688.—An Act To authorize the acquisition by the United States of the land upon which the Seneca Indian School, Wyandotte, Oklahoma, is located

June 21, 1934.
[S. 555.]
48 Stat., 1184.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to acquire for Indian school purposes, the east half southwest quarter, southeast quarter northwest quarter, east half northwest quarter and west half southwest quarter southeast quarter section 21, township 27 north, range 24 east, Indian meridian, Oklahoma.

Seneca Indian School, Wyandotte, Okla.
Acquisition of the land of, authorized.

SEC. 2. In order to carry out the provisions of section 1 hereof there is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $10,000, which said sum when so appropriated and placed in the Treasury of the United States to the credit of the Wyandotte Tribe of Indians, shall operate as a full, complete, and perfect extinguishment of all their right, title, and interest in and to the lands above described and which sum shall be subject to disbursement under congressional authority for the benefit of the Wyandotte Tribe.

Appropriation authorized.

Credited to Wyandotte Tribe.

Disbursed by Congressional authority.

Approved, June 21, 1934.

CHAP. 690.—An Act To restore homestead rights in certain cases.

June 21, 1934.
[S. 2987.]
48 Stat., 1185.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter any person who has heretofore made entry under the homestead laws on any lands embraced within any reservation ceded to the United States by the Indian tribes, and has paid for his land the sum of at least $1.25 per acre, shall, upon proof of such facts, if otherwise qualified, be entitled to the benefit of the homestead law as though such former entry had not been made; but the provisions of this Act shall not apply to any person who has failed to pay the full price for his former entry or whose former entry was canceled for fraud: *Provided*, That, in making any new homestead entry as authorized by this Act or the prior similar Acts of February 20, 1917 (39 Stat. 926), and February 25, 1925 (43 Stat. 981), such entry shall not include any land to which the Indian title shall not have been fully extinguished.

Public lands.
Second homestead entry allowed if former within Indian ceded lands.

Not applicable if former entry unpaid or was canceled for fraud.

Proviso.
Land to which Indian title not fully extinguished excluded.
39 Stat., 926, Vol. 4, 105; 43 Stat. 981, vol. 4, 479.

Approved, June 21, 1934.

June 26, 1934.
[S. 847.]
48 Stat., 1216.

CHAP. 749.—An Act For the relief of the Nez Perce Tribe of Indians.

Nez Perce Indians.
45 Stat., 1249; ante, 79.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress approved February 20, 1929 (45 Stat. 1249) entitled "An Act for the relief of the Nez Perce Tribe of Indians", be amended by inserting the following provision at the end of section 4 thereof, namely: "*Provided*, That any necessary costs and expenses heretofore incurred by the attorneys for the said Nez Perce Tribe of Indians in the prosecution of proceedings under this Act, under the terms and provisions of the attorneys' contract approved by the Secretary of the Interior, shall be paid out of the funds of the said Indians in the Treasury of the United States upon proper vouchers, to be examined and approved by the Commissioner of Indian Affairs."[1]

Attorneys costs and expenses.

Approved, June 26, 1934.

June 26, 1934.
[H. R. 9410.]
48 Stat., 1224.

CHAP. 756.—An Act Providing that permanent appropriations be subject to annual consideration and appropriation by Congress, and for other purposes

Permanent appropriation repeal Act.
Designated appropriations, from general fund repealed.
Effective date.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled (a) That effective July 1, 1935, such portions of any Acts as provide permanent or continuing appropriations from the general fund of the Treasury to be disbursed under the appropriation accounts appearing on the books of the Government, and listed in subsection (b) of this section, are hereby repealed, and any unobligated balances under such accounts as of June 30, 1935, shall be covered into the surplus fund of the Treasury.

Balances to be covered in.

* * * * * * *

Fees.

(14) Fees on certain Indian allotments (4x025).

* * * * * * *

Specified appropriations repealed and annual appropriations authorized.

SEC. 2. (a) Effective July 1, 1935, the permanent appropriations under the appropriation titles listed in subsection (b) of this section are repealed, and such portions of any Acts as make permanent appropriations to be expended under such accounts are amended so as to authorize, in lieu thereof, annual appropriations from the general fund of the Treasury in identical terms and in such amounts as now provided by the laws providing such permanent appropriations, except that any appropriation for "Adjusted losses and contingencies, postal fund", is authorized to be made from the postal revenues. Any unobligated balances remaining in the permanent appropriations under these accounts on June 30, 1935, shall be covered into the surplus fund of the Treasury.

To be expended in identical terms and amounts as now authorized.

* * * * * * *

Adjusted losses, etc., postal fund, from postal revenues.

(b) (1) Interest on Indian trust funds.
(2) Civilization of the Sioux (4x950).

* * * * * * *

25 Stat., 895, vol. 1, 335; 29 Stat., 334, vol. 1, 598; 34 Stat., 326, vol. 3, 193; 45 Stat., 684; ante, 53.

Special funds, etc.

Listed receipts form, carried in.

Sums equal to credited receipts authorized to be drawn annually for same purposes.
Permanent appropriation repealed.

SEC. 4. (a) Effective July 1, 1935, all receipts of the character theretofore credited to the appropriation accounts appearing on the books of the Government and listed in subsection (b) of this section shall be deposited into the Treasury as miscellaneous receipts, and amounts equal thereto are authorized to be appropriated annually from the general fund of the Treasury for the same purposes for which such receipts are now appropriated. Appropriations to which expenditures under such accounts have been chargeable theretofore

[1] Ct. Cls. Docket No. K-107; No. L-194.

are hereby repealed, effective on such date: *Provided*, That if the total of receipts for any one fiscal year for any of the foregoing purposes under this authority is greater than the amounts appropriated for such purpose, such excess is authorized to be appropriated for the following fiscal year.

Proviso.
If receipts greater than appropriation, excess to be drawn following year.

* * * * * * *

(12) Construction, irrigation system, Wapato Project, Washington, Act February 14, 1920 (5s781).

41 Stat., 431 vol. 4, 259.

(13) Maintenance, irrigation system (name of project), Act August 1, 1914.

38 Stat., 583, vol. 4, 8.

(14) Maintenance, irrigation system (name of project), Act May 18, 1916.

39 Stat., 142, vol. 4, 54.

(15) Maintenance, power system, Flathead Reservation, Montana, Act May 10, 1926 (5s796).

44 Stat., 465, vol. 4, 530.

* * * * * * *

(23) Indian-school improvements, Act April 21, 1904 (4x794).

30 Stat., 944, vol. 1, 685; 33 Stat., 211, vol. 3, 56; 43 Stat., 1101, vol. 4, 483.

(24) Purchase of lands for landless Indians in California, Act March 3, 1925 (4x812).

* * * * * * *

Unclaimed moneys of individuals.

SEC. 17. (a) Effective July 1, 1935, the appropriation accounts appearing on the books of the Government and listed in subsection (b) of this section, as well as appropriation accounts bearing similar titles on the books of the Government, are abolished, and any unobligated balances under such accounts as of June 30, 1935, shall be covered into a trust fund receipt account in the Treasury to be designated "Unclaimed Moneys of Individuals Whose Whereabouts Are Unknown." Any appropriations to which expenditures under such accounts have been chargeable theretofore are hereby repealed. There are authorized to be appropriated, annually, from such account such sums as may be necessary to meet any expenditures of the character now chargeable to the appropriation accounts abolished by this section. The Secretary of the Treasury or the Commissioners of the District of Columbia, as the case may be, shall submit with their annual estimates of appropriations an amount necessary to meet expenditures properly chargeable to this account.

Annual appropriations authorized.

Estimates to be submitted.

* * * * * * *

(12) Unclaimed individual Indian moneys (5t009).

* * * * * * *

Certain funds established as trust fund accounts.

SEC. 20. (a) The funds appearing on the books of the Government and listed in subsections (b) and (c) of this section shall be classified on the books of the Treasury as trust funds. All moneys accruing to these funds are hereby appropriated, and shall be disbursed in compliance with the terms of the trust. Hereafter moneys received by the Government as trustee analogous to the funds named in subsections (b) and (c) of this section, not otherwise herein provided for, except moneys received by the Comptroller of the Currency or the Federal Deposit Insurance Corporation, shall likewise be deposited into the Treasury as trust funds with appropriate title, and all amounts credited to such trust-fund accounts are hereby appropriated and shall be disbursed in compliance with the terms of the trust.

Disbursements.

Funds received analogous to trust funds.

* * * * * * *

(20) Indian moneys, proceeds of labor, agencies, schools, and so forth (5t301).

22 Stat., 590; vol. 1, 216, 46 Stat. 584; ante, 177.

* * * * * * *

(66) Funds contributed for Indian projects.

(67) Miscellaneous trust funds of Indian tribes.

U. S. C., title 34, secs. 533, 542.

* * * * * * *

Approved, June 26, 1934.

June 26, 1934.
[H. R. 9769.]
48 Stat., 1240.

CHAP. 758.—An Act To amend the Act of June 19, 1930 (46 Stat. 788), entitled "An Act providing for the sale of the remainder of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma, and for other purposes."

Choctaw and Chickasaw Indians, Okla.
46 Stat., 788; ante, 178.
Sales of coal and asphalt deposits authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of June 19, 1930 (46 Stat. 788), entitled "An Act providing for the sale of the remainder of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma, and for other purposes", is hereby amended so as to permit the Secretary of the Interior, in his discretion, to sell under the provisions of said Act the coal and asphalt deposits referred to therein in tracts of less than nine hundred and sixty acres where such smaller tract or acreage adjoins a developed tract on which active mining operations are being conducted and is needed by the operator in further developing the existing mine: *Provided*, That where the sale of such smaller tract or acreage is not deemed advisable, the Secretary of the Interior may in his discretion, lease said tract under the same terms and conditions as developed tracts are leased under the Act of April 21, 1932 (47 Stat. 88), with the exception that the minimum tonnage requirement contained therein is hereby waived as to leases on such small tracts.

Proviso.
Leases.
47 Stat., 89; ante, 255.
Minimum tonnage requirement waived.

Approved, June 26, 1934.

June 27, 1934.
[H. R. 8662.]
48 Stat., 1245.

CHAP. 846.—An Act To modify the operation of the Indian liquor laws on lands which were formerly Indian lands

Indian liquor laws.
Operation of, on former Indian lands modified.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the special Indian liquor laws shall not apply to former Indian lands now outside of any existing Indian reservation in any case where the land is no longer held by Indians under trust patents or under any other form of deed or patent which contains restrictions against alienation without the consent of some official of the United States Government: *Provided*, *however*, That nothing in this Act shall be construed to discontinue or repeal the provisions of the Indian liquor laws which prohibit the sale, gift, barter, exchange, or other disposition of beer, wine, and other liquors to Indians of the classes set forth in the Act of January 30, 1897 (29 Stat.L. 506), and section 241, title 25, of the United States Code.

Proviso.
Traffic in intoxicants in Indian country, forbidden.
29 Stat., 506, vol. 1, 83.
U. S. C., p. 704.

Approved, June 27, 1934.

June 28, 1934.
[H. R. 6462.]
48 Stat., 1269.

CHAP. 865.—An Act to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes

Overgrazing and soil deterioration, public lands.
Grazing districts, or additions thereto, to be established.
Modifying boundaries, etc., thereof.
Areas excluded.
Indian Reservations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to promote the highest use of the public lands pending its final disposal, the Secretary of the Interior is authorized, in his discretion, by order to establish grazing districts or additions thereto and/or to modify the boundaries thereof, not exceeding in the aggregate an area of eighty million acres of vacant, unappropriated, and unreserved lands from any part of the public domain of the United States (exclusive of Alaska), which are not in national forests, national parks and monuments, Indian reservations, revested Oregon and California Railroad grant lands, or revested Coos Bay Wagon Road grant lands, and which in his opinion are chiefly valuable for grazing and

raising forage crops: *Provided*, That no lands withdrawn or reserved for any other purpose shall be included in any such district except with the approval of the head of the department having jurisdiction thereof. Nothing in this Act shall be construed in any way to diminish, restrict, or impair any right which has been heretofore or may be hereafter initiated under existing law validly affecting the public lands, and which is maintained pursuant to such law except as otherwise expressly provided in this Act, nor to affect any land heretofore or hereafter surveyed which, except for the provisions of this Act, would be a part of any grant to any State, nor as limiting or restricting the power or authority of any State as to matters within its jurisdiction. Whenever any grazing district is established pursuant to this Act, the Secretary shall grant to owners of land adjacent to such district, upon application of any such owner, such rights-of-way over the lands included in such district for stock-driving purposes as may be necessary for the convenient access by any such owner to marketing facilities or to lands not within such districts owned by such person or upon which such person has stock-grazing rights. Neither this Act nor the Act of December 29, 1916 (39 Stat. 862; U. S. C., title 43, secs. 291 and following), commonly known as the "Stock Raising Homestead Act", shall be construed as limiting the authority or policy of Congress or the President to include in national forests public lands of the character described in section 24 of the Act of March 3, 1891 (26 Stat. 1103; U. S. C., title 16, sec. 471), as amended, for the purposes set forth in the Act of June 4, 1897 (30 Stat. 35; U. S. C., title 16, sec. 475), or such other purposes as Congress may specify. Before grazing districts are created in any State as herein provided, a hearing shall be held in the State, after public notice thereof shall have been given, at such location convenient for the attendance of State officials, and the settlers, residents, and livestock owners of the vicinity, as may be determined by the Secretary of the Interior. No such district shall be established until the expiration of ninety days after such notice shall have been given, nor until twenty days after such hearing shall be held: *Provided, however*, That the publication of such notice shall have the effect of withdrawing all public lands within the exterior boundary of such proposed grazing districts from all forms of entry of settlement. Nothing in this Act shall be construed as in any way altering or restricting the right to hunt or fish within a grazing district in accordance with the laws of the United States or of any State, or as vesting in any permittee any right whatsoever to interfere with hunting or fishing within a grazing district.

Proviso. Restriction on use.

Valid claims not impaired.

Rights-of-way for stock driveway granted when grazing district established.

Hearing to be held before districts created.

Proviso. Notice thereof to affect withdrawing of all lands within exterior boundary of grazing district.

Hunting, etc., not restricted.

SEC. 2. The Secretary of the Interior shall make provision for the protection, administration, regulation, and improvement of such grazing districts as may be created under the authority of the foregoing section, and he shall make such rules and regulations and establish such service, enter into such cooperative agreements, and do any and all things necessary to accomplish the purposes of this Act and to insure the objects of such grazing districts, namely, to regulate their occupancy and use, to preserve the land and its resources from destruction or unnecessary injury, to provide for the orderly use, improvement, and development of the range; and the Secretary of the Interior is authorized to continue the study of erosion and flood control and to perform such work as may be necessary amply to protect and rehabilitate the areas subject to the provisions of this Act, through such funds as may be made available for that purpose, and any willful violation of the provisions of this Act

Provision for carrying Act into effect.

of such rules and regulations thereunder after actual notice thereof shall be punishable by a fine of not more than $500.

Permits.

Livestock grazing, authorized.

SEC. 3. That the Secretary of the Interior is hereby authorized to issue or cause to be issued permits to graze livestock on such grazing districts to such bona fide settlers, residents, and other stock owners as under his rules and regulations are entitled to participate in the use of the range, upon the payment annually of reasonable fees in each case to be fixed or determined from time to time: *Provided*, That grazing permits shall be issued only to citizens of the United States or to those who have filed the necessary declarations of intention to become such, as required by the naturalization laws and to groups, associations, or corporations authorized to conduct business under the laws of the State in which the grazing district is located. Preference shall be given in the issuance of grazing permits to those within or near a district who are landowners engaged in the livestock business, bona fide occupants or settlers, or owners of water or water rights, as may be necessary to permit the proper use of lands, water or water rights owned, occupied, or leased by them, except that until July 1, 1935, no preference shall be given in the issuance of such permits to any such owner, occupant, or settler, whose rights were acquired between January 1, 1934, and December 31, 1934, both dates inclusive, except that no permitteee complying with the rules and regulations laid down by the Secretary of the Interior shall be denied the renewal of such permit, if such denial will impair the value of the grazing unit of the permittee, when such unit is pledged as security for any bona fide loan. Such permits shall be for a period of not more than ten years, subject to the preference right of the permittees to renewal in the discretion of the Secretary of the Interior, who shall specify from time to time numbers of stock and seasons of use. During periods of range depletion due to severe drought or other natural causes, or in case of a general epidemic of disease, during the life of the permit, the Secretary of the Interior is hereby authorized, in his discretion to remit, reduce, refund in whole or in part, or authorize postponement of payment of grazing fees for such depletion period so long as the emergency exists: *Provided further*, That nothing in this Act shall be construed or administered in any way to diminish or impair any right to the possession and use of water for mining, agriculture, manufacturing, or other purposes which has heretofore vested or accrued under existing law validly affecting the public lands or which may be hereafter initiated or acquired and maintained in accordance with such law. So far as consistent with the purposes and provisions of this Act, grazing privileges recognized and acknowledged shall be adequately safeguarded, but the creation of a grazing district or the issuance of a permit pursuant to the provisions of this Act shall not create any right, title, interest, or estate in or to the lands.

Fees.

Proviso.
Restriction on issuing permits.

Preferences.

Rights acquired during 1934.

Renewals.

Duration.

Emergency remission, reduction, etc., of grazing fees.

Provisos.
Water rights not impaired.

Grazing privileges to be protected.

SEC. 4. Fences, wells, reservoirs, and other improvements necessary to the care and management of the permitted livestock may be constructed on the public lands within such grazing districts under permit issued by the authority of the Secretary, or under such cooperative arrangement as the Secretary may approve. Permittees shall be required by the Secretary of the Interior to comply with the provisions of law of the State within which the grazing district is located with respect to the cost and maintenance of partition fences. No permit shall be issued which shall entitle the permittee to the use of such improvements constructed and owned by a prior occupant until the applicant has paid to such prior occupant the reasonable

Improvements necessary for care of livestock permitted.

Compliance with State laws, as to partition fences.

Use of prior constructions, etc.

value of such improvements to be determined under rules and regulations of the Secretary of the Interior. The decision of the Secretary in such cases is to be final and conclusive.

Limited free grazing permitted in districts kept for domestic purposes.

SEC. 5. That the Secretary of the Interior shall permit, under regulations to be prescribed by him, the free grazing within such districts of livestock kept for domestic purposes; and provided that so far as authorized by existing law or laws hereinafter enacted, nothing herein contained shall prevent the use of timber, stone, gravel, clay, coal, and other deposits by miners, prospectors for mineral, bona fide settlers and residents, for firewood, fencing, buildings, mining, prospecting, and domestic purposes within areas subject to the provisions of this Act.

Use of material deposits by settlers, miners, etc.

Rights-of-way within grazing districts not restricted.

SEC. 6. Nothing herein contained shall restrict the acquisition, granting or use of permits or rights-of-way within grazing districts under existing law; or ingress or egress over the public lands in such districts for all proper and lawful purposes; and nothing herein contained shall restrict prospecting, locating, developing, mining, entering, leasing, or patenting the mineral resources of such districts under law applicable thereto.

Prospecting, etc., minerals.

Lands more suitable for agriculture within districts to be classified.

SEC. 7. That the Secretary is hereby authorized, in his discretion, to examine and classify any lands within such grazing districts which are more valuable and suitable for the production of agricultural crops than native grasses and forage plants, and to open such lands to homestead entry in tracts not exceeding three hundred and twenty acres in area. Such lands shall not be subject to settlement or occupation as homesteads until after same have been classified and opened to entry after notice to the permittee by the Secretary of the Interior, and the lands shall remain a part of the grazing district until patents are issued therefor, the homesteader to be, after his entry is allowed, entitled to the possession and use thereof: *Provided*, That upon the application of any person qualified to make homestead entry under the public-land laws, filed in the land office of the proper district, the Secretary of the Interior shall cause any tract not exceeding three hundred and twenty acres in any grazing district to be classified, and such application shall entitle the applicant to a preference right to enter such lands when opened to entry as herein provided.

Prior settlement forbidden.

Proviso.
Areas open in tracts exceeding 320 acres.

Exchange with private ownership in public interest, allowed.

SEC. 8. That where such action will promote the purposes of the district or facilitate its administration, the Secretary is authorized and directed to accept on behalf of the United States any lands within the exterior boundaries of a district as a gift, or, when public interests will be benefited thereby, he is authorized and directed to accept on behalf of the United States title to any privately owned lands within the exterior boundaries of said grazing district, and in exchange therefor to issue patent for not to exceed an equal value of surveyed grazing district land or of unreserved surveyed public land in the same State or within a distance of not more than fifty miles within the adjoining State nearest the base lands: *Provided*, That before any such exchange shall be effected, notice of the contemplated exchange, describing the lands involved, shall be published by the Secretary of the Interior once each week for four successive weeks in some newspaper of general circulation in the county or counties in which may be situated the lands to be accepted, and in the same manner in some like newspaper published in any county in which may be situated any lands to be given in such exchange; lands conveyed to the United States under this Act shall, upon acceptance of title, become public lands and parts of the grazing district within whose exterior boundaries they are located: *Provided*

Proviso.
Notice of contemplated exchange to be given.

Lands conveyed to United States to become public lands.

Easements may be reserved by either party.

Conditions imposed.

Miner may occupy surface required.

Application by a state to exchange lands within or without a grazing district.

Lands in another State excluded.

Rules for cooperating with local stockmen associations to be provided.

Local hearings or views provided for.

Acceptance of contributions for district improvements.

Appropriation.

Deposit of grazing receipts; exceptions.

Portion for range improvements.

Apportionment to State for benefit of counties having grazing districts.

Proviso.
If district in more than one county.

Indian lands ceded to United States.

Use of grazing fees received from.

further, That either party to an exchange may make reservations of minerals, easements, or rights of use, the values of which shall be duly considered in determining the values of the exchanged lands. Where reservations are made in lands conveyed to the United States, the right to enjoy them shall be subject to such reasonable conditions respecting ingress and egress and the use of the surface of the land as may be deemed necessary by the Secretary of the Interior. Where mineral reservations are made in lands conveyed by the United States, it shall be so stipulated in the patent, and any person who acquires the right to mine and remove the reserved mineral deposits may enter and occupy so much of the surface as may be required for all purposes incident to the mining and removal of the minerals therefrom, and may mine and remove such minerals, upon payment to the owner of the surface for damages caused to the land and improvements thereon. Upon application of any State to exchange lands within or without the boundary of a grazing district the Secretary of the Interior is authorized and directed in the manner provided for the exchange of privately owned lands in this section, to proceed with such exchange at the earliest practicable date and to cooperate fully with the State to that end, but no State shall be permitted to select lieu lands in another State.

SEC. 9. The Secretary of the Interior shall provide, by suitable rules and regulations, for cooperation with local associations of stockmen, State land officials, and official State agencies engaged in conservation or propagation of wild life interested in the use of the grazing districts. The Secretary of the Interior shall provide by appropriate rules and regulations for local hearings on appeals from the decisions of the administrative officer in charge in a manner similar to the procedure in the land department. The Secretary of the Interior shall also be empowered to accept contributions toward the administration, protection, and improvement of the district, moneys so received to be covered into the Treasury as a special fund, which is hereby appropriated and made available until expended, as the Secretary of the Interior may direct, for payment of expenses incident to said administration, protection, and improvement, and for refunds to depositors of amounts contributed by them in excess of their share of the cost.

SEC. 10. That, except as provided in sections 9 and 11 hereof, all moneys received under the authority of this Act shall be deposited in the Treasury of the United States as miscellaneous receipts, but 25 per centum of all moneys received from each grazing district during any fiscal year is hereby made available, when appropriated by the Congress, for expenditure by the Secretary of the Interior for the construction, purchase, or maintenance of range improvements, and 50 per centum of the money received from each grazing district during any fiscal year shall be paid at the end thereof by the Secretary of the Treasury to the State in which said grazing district is situated, to be expended as the State legislature may prescribe for the benefit of the county or counties in which the grazing district is situated: *Provided*, That if any grazing district is in more than one State or county, the distributive share to each from the proceeds of said district shall be proportional to its area therein.

SEC. 11. That when appropriated by Congress, 25 per centum of all moneys received from each grazing district on Indian lands ceded to the United States for disposition under the public-land laws during any fiscal year is hereby made available for expenditure by the

Secretary of the Interior for the construction, purchase, or maintenance of range improvements; and an additional 25 per centum of the money received from grazing during each fiscal year shall be paid at the end thereof by the Secretary of the Treasury to the State in which said lands are situated, to be expended as the State legislature may prescribe for the benefit of public schools and public roads of the county or counties in which such grazing lands are situated. And the remaining 50 per centum of all money received from such grazing lands shall be deposited to the credit of the Indians pending final disposition under applicable laws, treaties, or agreements. The applicable public land laws as to said Indian ceded lands within a district created under this Act shall continue in operation, except that each and every application for nonmineral title to said lands in a district created under this Act shall be allowed only if in the opinion of the Secretary of the Interior the land is of the character suited to disposal through the Act under which application is made and such entry and disposal will not affect adversely the best public interest, but no settlement or occupation of such lands shall be permitted until ninety days after allowance of an application.

Range improvements.

Benefit of public schools and public roads.

To credit of Indians.

Continuance of public land laws.

SEC. 12. That the Secretary of the Interior is hereby authorized to cooperate with any department of the Government in carrying out the purposes of this Act, and in the coordination of range administration, particularly where the same stock grazes part time in a grazing district and part time in a national forest or other reservation.

Cooperation administration with other departments.

Coordination of range administration.

SEC. 13. That the President of the United States is authorized to reserve by proclamation and place under national-forest administration in any State where national forests may be created or enlarged by Executive order any unappropriated public lands lying within watersheds forming a part of the national forests which, in his opinion, can best be administered in connection with existing national-forest administration units, and to place under the Interior Department administration any lands within national forests, principally valuable for grazing, which, in his opinion, can best be administered under the provisions of this Act: *Provided*, That such reservations or transfers shall not interfere with legal rights acquired under any public-land laws so long as such rights are legally maintained. Lands placed under the national-forest administration under the authority of this Act shall be subject to all the laws and regulations relating to national forests, and lands placed under the Interior Department administration shall be subject to all public-land laws and regulations applicable to grazing districts created under authority of this Act. Nothing in this section shall be construed so as to limit the powers of the President (relating to reorganizations in the executive departments) granted by title 4 of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes", approved March 3, 1933.

Unappropriated lands within watersheds of national forests.

President may place, under national forest administration.

Proviso.

Legal rights maintained.

Jurisdiction of lands.

SEC. 14. That section 2455 of the Revised Statutes, as amended, is amended to read as follows:

R. S. sec. 2455, p. 449; U. S. C., p. 1411.

"SEC. 2455. Notwithstanding the provisions of section 2357 of the Revised Statutes (U. S. C., title 43, sec. 678) and of the Act of August 30, 1890 (26 Stat. 391), it shall be lawful for the Secretary of the Interior to order into market and sell at public auction, at the land office of the district in which the land is situated, for not less than the appraised value, any isolated or disconnected tract or parcel of the public domain not exceeding seven hundred and sixty acres which,

Sale of isolated or disconnected tracts.

R. S. sec. 2357, p. 432; U. S. C., p. 1375.

26 Stat., 391.

in his judgment, it would be proper to expose for sale after at least thirty days' notice by the land office of the district in which such land may be situated: *Provided*, That for a period of not less than thirty days after the highest bid has been received, any owner or owners of contiguous land shall have a preference right to buy the offered lands at such highest bid price, and where two or more persons apply to exercise such preference right the Secretary of the Interior is authorized to make an equitable division of the land among such applicants, but in no case shall the adjacent land owner or owners be required to pay more than three times the appraised price: *Provided further*, That any legal subdivisions of the public land, not exceeding one hundred and sixty acres, the greater part of which is mountainous or too rough for cultivation, may, in the discretion of the said Secretary, be ordered into the market and sold pursuant to this section upon the application of any person who owns land or holds a valid entry of lands adjoining such tract, regardless of the fact that such tract may not be isolated or disconnected within the meaning of this section: *Provided further*, That this section shall not defeat any valid right which has already attached under any pending entry or location. The word 'person' in this section shall be deemed to include corporations, partnerships, and associations."

Proviso.
Preferential right to owner of contiguous property.

Sale of tracts unsuitable for cultivation.

Prior rights not impaired.

"Person" defined.

SEC. 15. The Secretary of the Interior is further authorized in his discretion, where vacant, unappropriated, and unreserved lands of the public domain are situated in such isolated or disconnected tracts of six hundred and forty acres or more as not to justify their inclusion in any grazing district to be established pursuant to this Act, to lease any such lands to owners of lands contiguous thereto for grazing purposes, upon application therefor by any such owner, and upon such terms and conditions as the Secretary may prescribe.

Disconnected or isolated tract may be leased to owners of contiguous lands.

SEC. 16. Nothing in this Act shall be construed as restricting the respective States from enforcing any and all statutes enacted for police regulation, nor shall the police power of the respective States be, by this Act, impaired or restricted, and all laws heretofore enacted by the respective States or any thereof, or that may hereafter be enacted as regards public health or public welfare, shall at all times be in full force and effect: *Provided, however*, That nothing in this section shall be construed as limiting or restricting the power and authority of the United States.

State laws, etc., not restricted.

Proviso.
No limitation on Federal authority.

Approved, June 28, 1934.

PRIVATE ACTS OF THE SEVENTY-THIRD CONGRESS, SECOND SESSION, 1934

March 2, 1934.
[H. R. 5242.]
48 Stat., 1305.

CHAP. 39.—An Act For the relief of William C. Campbell

William C. Campbell.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay to William C. Campbell, of Pawhuska, Oklahoma, out of any money in the Treasury not otherwise appropriated, the sum of $64.64 in full satisfaction of his claim against the United States for one half of his deceased son's share in payment made to the Santee Sioux Indians in 1924, which was erroneously paid to another Indian of the same name.

Approved, March 2, 1934.

CHAP. 58.—An Act For the relief of C. M. Williamson; Mrs. Tura Liljenquist, administratrix of C. E. Liljenquist, deceased; Lottie Redman; and H. N. Smith

March 13, 1934.
[S. 2.]
48 Stat., 1306.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to C. M. Williamson; Mrs. Tura Liljenquist, administratrix of C. E. Liljenquist, deceased; Lottie Redman; and H. N. Smith, in accordance with their respective interests, the sum of $8,824.10. Such sum represents the amount expended by them in installing a pumping plant and making necessary connections to bring water to their land, on the Fort Hall Indian Reservation, and the amount paid by them to the Idaho Power Company during the years 1920 to 1927, inclusive, for power to operate said pumping plant: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

C. M. Williamson, etc.
Payment to.

Provisos.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, March 13, 1934.

CHAP. 450.—An Act For the relief of Milburn Knapp

June 11, 1934.
[S. 256.]
48 Stat., 1380.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay to Milburn Knapp, out of any money in the Treasury not otherwise appropriated, the sum of $16,000 in full settlement of all claims against the United States for losses sustained by him as the result of the revocation by the Department of the Interior, on November 12, 1913, of a permit granted for the use of the Williamson River in connection with a contract for the cutting and removal of certain timberlands in the Klamath Indian Reservation, in the State of Oregon, entered into on January 24, 1913, by Milburn Knapp and the Commissioner of Indian Affairs on behalf of the United States.

Milburn Knapp.
Payment to.

Approved, June 11, 1934.

CHAP. 451.—An Act For the relief of Peter Pierre

June 11, 1934.
[S. 512.]
48 Stat., 1380.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $45 to Peter Pierre, in payment for a horse which was lost while being used to transport supplies to a forest fire on the Flathead Indian Reservation, State of Montana.

Peter Pierre.
Reimbursement, for loss of horse.

Approved, June 11, 1934.

June 11, 1934.
[S. 1772.]
48 Stat., 1383.

Western Montana Clinic.
Payment to, for professional services.

CHAP. 457.—An Act For the relief of Western Montana Clinic, Missoula, Montana

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay to the Western Montana Clinic, of Missoula, Montana, out of any money in the Treasury not otherwise appropriated, the sum of $5,022.30 in full satisfaction of its claim against the United States for surgical and medical services rendered prior to May 30, 1932, to Indians on the Flathead Indian Reservation, Montana.

Approved, June 11, 1934.

June 11, 1934.
[S. 2889.]
48 Stat., 1385.

Fort Peck Reservation, Mont.
Payment to designated Indians of, authorized.

CHAP. 462.—An Act For the relief of certain Indians of the Fort Peck Reservation, Montana

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the following-named Indians of the Fort Peck Reservation the amounts herein set forth: James Black Dog, $185; Archie Red Elk, $25; Catherine Medicine Walk and Belle Medicine Walk, $25; James Garfield, $70; Nancy Titus, $35; and Carl W. Eagle, administrator of the estate of Charles Peterson, $25; the above sums representing funds collected for the Indians named, but misapplied by a former employee of the Indian Service.

Approved, June 11, 1934.

June 13, 1934.
[H. R. 5636.]
48 Stat., 1389.

Jose Ramon Cordova.
Payment to, for personal injuries.

CHAP. 507.—An Act For the relief of Jose Ramon Cordova

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jose Ramon Cordova, of Farmington, New Mexico, the sum of $3,500 in full settlement of all claims against the Government of the United States, for injuries sustained, during February 1915, while in the discharge of his duties as member of a posse organized by the United States marshal for the district of Utah for the capture of Tse-Ne-Gat, alias Everett Hatch, a Piute Indian charged with murder:

Proviso.
Limitation on attorney's, etc., fees.

Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, June 13, 1934.

June 14, 1934.
[S. 1126.]
48 Stat., 1391.

M. M. Twichel.
Payment to, for mortuary services.

CHAP. 525.—An Act For relief of M. M. Twichel

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay to M. M. Twichel,

of Saint Ignatius, Montana, out of any money in the Treasury not otherwise appropriated, the sum of $3,433.34 in full satisfaction of his claim against the United States for compensation for services rendered and expenses incurred in connection with the burial of Indians on the Flathead Indian Reservation, Montana, prior to May 1, 1933: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 14, 1934.

CHAP. 645.—An Act For the relief of John W. Adair

June 18, 1934.
[H. R. 7272.]
48 Stat., 1411.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the Act of September 7, 1916, entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", are hereby extended to John W. Adair, of Pinetop, Arizona, for the death of his son, John Robin Adair, who lost his life on June 21, 1916, while fighting a forest fire on the Fort Apache Indian Reservation; and the United States Employees' Compensation Commission is authorized and directed to pay compensation to John W. Adair as a partial dependent parent at the rate of $30 per month for a period of eight years from and after the passage of this Act: *Provided*, That no compensation shall be held to have accrued prior to the passage of this Act and the payments above provided for shall be in full settlement of all claims against the United States: *Provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

John W. Adair.
Provisions of Employees' Compensation Act extended to.
39 Stat., 744.

Monthly payments authorized.

Provisos.
No back pay.

Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 18, 1934.

CHAP. 784.—An Act Authorizing the Secretary of the Interior to pay E. C. Sampson, of Billings, Montana, for services rendered the Crow Tribe of Indians

June 26, 1934.
[S. 1498.]
48 Stat., 1437.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he hereby is, authorized and directed to pay, upon proper vouchers, out of the tribal funds belonging to the Crow Tribe of Indians of Montana in the Treasury of the United States, and in full settlement of all claims against the Gov-

E. C. Sampson.
Payment to.

ernment of the United States, a sum not exceeding $600 to E. C. Sampson, irrigation engineer, of Billings, Montana, employed by the Crow Tribe to investigate, report, and testify in the matter of the claims pending in the Court of Claims entitled "The Crow Tribe of Indians against the United States", arising out of construction of irrigation project within the Crow Reservation with tribal funds: *Provided*, That the said E. C. Sampson shall submit with his vouchers satisfactory evidence of services rendered the said tribe: *And provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Provisos.
Evidence of service to be submitted.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved June 26, 1934.

June 26, 1934.
[S. 2957.]
48 Stat., 1454.

CHAP. 825.—An Act For the relief of the rightful heirs of Wakicunzewin, an Indian

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the respective heirs of Wakicunzewin, deceased Sisseton-Wahpeton allottee, as determined by the Secretary of the Interior pursuant to existing law, the sum of $2,888.90, as follows: Waste, $481.48; Cankumazwin, $481.48; Hotonnahowin, $240.74; Ticahdeiyotanke, $240.74; Mnimapson, or Charles Boesdi, $240.74; Cetanhote, or Grayhawk, $120.37; Hankadutana, or Charles Blackbird, $60.20; George Young, $60.19; Cankutopewin, $481.48; and George Track, $481.48: *Provided*, That, in the discretion of the Secretary of the Interior, the amount due any beneficiary may be deposited to the credit of the individual and handled in the same manner as other individual Indian moneys: *Provided further*, That, should any of the persons named herein be not living upon the date of the passage of this Act, his or her share shall be credited to and become a part of the estate of such beneficiary.

Wakicunzewin.
Payment to heirs of, authorized.

Provisos.
Sum due may be deposited to credit and benefit of Indian.

Credit of estate if person named be dead.

Approved, June 26, 1934.

June 26, 1934.
[H. R. 4666.]
48 Stat., 1459.

CHAP. 837.—An Act For the relief of Jerry O'Shea

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jerry O'Shea, of Blackwater, North Dakota, the sum of $275 in full satisfaction of his claim against the United States for damages arising out of the destruction of his crops in August 1930 by a herd of horses belonging to Indians of the Fort Berthold Indian Reservation: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per

Jerry O'Shea.
Payment to, for crop damages.

Proviso.
Limitation on attorney's, etc., fees.

centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, June 26, 1934.

CHAP. 854.—An Act For the relief of Lucy B. Hertz and J. W. Hertz

June 27, 1934.
[S. 887.]
48 Stat., 1463.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay to Lucy B. Hertz and J. W. Hertz, out of any money in the Treasury not otherwise appropriated, the sum of $1,500, in full satisfaction of all claims against the United States on account of injuries sustained on February 18, 1931, when they were struck by a bus belonging to the United States Indian Service: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Lucy B. Hertz and J. W. Hertz.
Payment to, for personal injuries.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 27, 1934.

CHAP. 858.—An Act For the relief of the estate of Jennie Walton

June 27, 1934.
[S. 2617.]
48 Stat., 1464.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Jennie Walton, late of Bantry, North Dakota, the sum of $4,000, in full satisfaction of its claim against the United States for damages from an automobile accident on Highway Numbered 5, near Belcourt, North Dakota, within the Turtle Mountain Indian Reservation, on October 5, 1931.

Jennie Walton.
Payment to estate of, for damages.

Approved, June 27, 1934.

CHAP. 861.—An Act For the relief of Ransome Cooyate

June 27, 1934.
[S. 2906.]
48 Stat., 1465.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,000 to Ransome Cooyate, of the Zuni Reservation in New Mexico, in full satisfaction of his claim for injuries received while a student at the Albuquerque Boarding School, New Mexico: *Provided*, That in the discretion of the Secretary of the Interior, the

Ransome Cooyate.
Payment to, for personal injuries.

Proviso.
Discretionary monthly installments.

amount herein appropriated may be held as individual Indian money by the Superintendent of the Zuni Agency, New Mexico, and disbursed to the beneficiary at the rate of $30 a month.

Approved, June 27, 1934.

June 28, 1934.
[S. 3517.]
48 Stat., 1467.

CHAP. 870.—An Act Authorizing the Court of Claims to hear, consider, adjudicate, and enter judgment upon the claims against the United States of J. A. Tippit, L. P. Hudson, Chester Howe, J. E. Arnold, Joseph W. Gillette, J. S. Bounds, W. N. Vernon, T. B. Sullivan, J. H. Neill, David C. McCallib, J. J. Beckham, and John Toles[1]

Choctaw Indians.
Certain claims against, to be heard, etc., by Court of Claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Court of Claims is hereby authorized to hear, consider, and adjudicate the claims against the United States of J. A. Tippit, L. P. Hudson, Chester Howe, J. E. Arnold, Joseph W. Gillette, J. S. Bounds, W. N. Vernon, T. B. Sullivan, J. H. Neill, David C. McCallib, J. J. Beckham, and John Toles for services rendered and expenses incurred in connection with the identification, enrollment, removal, allotment, and subsistence of Mississippi Choctaw Indians to enable them to acquire citizenship in the Choctaw Nation of Oklahoma, and to render judgment therein in such amount as may be found to be legally or equitably due each claimant, after deducting such sum or sums the claimant may have collected or received from the Indian or Indians benefited by the said services or expenses: *Provided*, That nothing herein contained shall be construed to create any obligation not heretofore existing in law or equity against the United States in its governmental capacity or as trustee for the individual Indians receiving the benefit of such services and/or expenses: *Provided, further*, That the jurisdiction hereby conferred shall be limited to claims for services rendered and expenses incurred on behalf only of such Indian or Indians as were enrolled as citizens of the Choctaw Nation under the provisions of the Choctaw-Chickasaw supplemental agreement approved by the Act of July 1, 1902, and ratified by the Choctaws and Chickasaws on September 25, 1902 (32 Stat. 641, 651–652), and the provisions of this Act shall not be construed as authorizing the consideration or adjudication of any claim for services rendered and expenses incurred on behalf of any person not so enrolled.

Provisos.
No Federal obligation to be created.

Court jurisdiction limited.

32 Stat., 641, vol. 1, 771; 34 Stat., 140; vol. 3, 169.

Petition to be filed.

SEC. 2. No claim herein authorized to be submitted to the Court of Claims shall be heard or adjudicated by the court unless a petition duly verified by affidavit of the claimant or by his heirs, executors, or administrators, or by his or their agent or attorney, shall be filed within one year from the date of this enactment, failing in which the claim shall be forever barred. The petition shall fully set forth the claim, what persons are owners thereof or interested therein, and when, and upon what consideration, such persons became so interested. The petition shall further set forth that no assignment or transfer of said claim or any part thereof or interest therein has been made, except as set forth in the petition; that the claimant is justly entitled to the amount therein claimed from the United States after allowing all just credits and offsets, and that the petitioner believes the facts as stated in the petition are true. The said petition shall contain an itemized statement of the amount or amounts claimed to be due, together with a full accounting for all sums had and received from the Indian or Indians benefited by the services rendered and expenses incurred.

Statements to accompany.

Statement of amount claimed.

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[1] 83 Ct. Cls., 79.

Review of court's decree by Supreme Court. 43 Stat., 939.

SEC. 3. All judgments and decrees entered by the Court of Claims under the provisions of this Act shall be subject to review by the Supreme Court as provided in section 3 of the Act of February 13, 1925 (43 Stat. 936, 939).

Attendance of Attorney General, etc.

SEC. 4. The Attorney General, or his assistants under his direction, shall appear for the defense and protection of the interests of the United States in all actions filed in the Court of Claims under the provisions of this Act, with the same power to interpose counterclaims, offsets, defenses for fraud practiced or attempted to be practiced by claimants, and other defenses, in like manner as he is required to defend the United States in other suits in said court.

34 Stat., 140, vol. 3, 169.

SEC. 5. That in the hearing of any suit or suits brought in said court under the provisions of this Act the Court of Claims is hereby authorized to admit in evidence with such weight as to the court may seem proper all depositions and other competent evidence introduced in evidence and constituting a part of the record in said court in the case entitled "Estate of Charles F. Winton and others against Jack Amos and others", docket numbered 29821.

Depositions, etc., to be admitted in evidence.

Approved, June 28, 1934.

PUBLIC ACTS OF THE SEVENTY-FOURTH CONGRESS, FIRST SESSION, 1935

CHAP. 3.—An Act Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1936, and for other purposes

February 2, 1935. [H. R. 3410.] 49 Stat., 6.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1936, namely:

Independent Offices Act, 1936.
Appropriations for fiscal year, 1936.

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SMITHSONIAN INSTITUTION

Smithsonian Institution.

* * * * * * *

American ethnology: For contining ethnological researches among the American Indians and the natives of Hawaii, the excavation and preservation of archeologic remains under the direction of the Smithsonian Institution, including necessary employees, the preparation of manuscripts, drawings, and illustrations, the purchase of books and periodicals, and traveling expenses, $58,730.

American ethnology.

* * * * * * *

Approved, February 2, 1935.

CHAP. 36.—An Act Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1935, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1935, and for other purposes

March 21, 1935. [H. R. 6644.] 49 Stat., 49.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1935, and prior fiscal years, to provide

First Deficiency Act, fiscal year 1935.

supplemental appropriations for the fiscal year ending June 30, 1935, and for other purposes, namely:

* * * * * * *

Audited claims.

AUDITED CLAIMS

Payment of.

SEC. 4. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1932 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in House Document Numbered 122, Seventy-fourth Congress, there is appropriated as follows:

18 Stat., 110.
U. S. C., p. 1022.

23 Stat., 254.
U. S. C., p. 43.

* * * * * * *

Department of the Interior.

DEPARTMENT OF THE INTERIOR

* * * * * * *

For conservation of health among Indians, $906.89.

For Indian school support, $2,444.35.

For support and civilization of Indians, $68.75.

For support of Indians and administration of Indian property, 75 cents.

For purchase and transportation of Indian supplies, $14.52.

For relieving distress and prevention, and so forth, of diseases among Indians, $88.

For education of natives of Alaska, $104.35.

For administration of Indian forests, $40.20.

* * * * * * *

Additional claims, certified by General Accounting Office.
18 Stat., 110; 23 Stat., 254.
U. S. C., pp. 1022, 43.

(b) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1932 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in Senate Document Numbered 37, Seventy-fourth Congress, there is appropriated as follows:

* * * * * * *

Department of the Interior.

DEPARTMENT OF THE INTERIOR

For education, Sioux Nation, $251.30.

For fulfilling treaties with Sioux of different tribes, including Santee Sioux of Nebraska, North Dakota, and South Dakota, $127.37.

For conservation of health among Indians, $85.68.

* * * * * * *

Approved, March 21, 1935.

CHAP. 39.—An Act Making appropriations for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1936, and for other purposes

March 22, 1935.
[H. R. 5255.]
49 Stat., 67.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1936, namely:

Appropriations for Departments of State and Justice, the Judiciary, and Departments of Commerce and Labor, fiscal year, 1936.

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TITLE II—DEPARTMENT OF JUSTICE

Department of Justice.

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MISCELLANEOUS OBJECTS, DEPARTMENT OF JUSTICE

Miscellaneous.

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Defending suits in claims against the United States: For necessary expenses incurred in the examination of witnesses, procuring evidence, employment of experts at such rates of compensation as may be authorized or approved by the Attorney General, and such other expenses incurred in the examination of witnesses, procuring evi- Claims, including Indian depredation claims, and contested proceedings involving inventions, to be expended under the direction of the Attorney General, $45,000.

Defending suits in claims against United States.

Approved, March 22, 1935.

CHAP. 101.—An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1936, and for other purposes

May 9, 1935.
[H. R. 6223.]
49 Stat., 176.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1936, namely:

Interior Department appropriations, fiscal year 1936.

* * * * * * *

GENERAL LAND OFFICE

General Land Office.

* * * * * * *

Payment to Oklahoma from royalties, oil and gas, south half of Red River: For payment of 37½ per centum of the royalties derived from the south half of Red River in Oklahoma under the provisions of the Act of March 4, 1923 (U. S. C., title 30, sec. 233), which shall be paid to the State of Oklahoma in lieu of all State and local taxes upon tribal funds accruing under said Act, to be expended by the State in the same manner as if received under section 35 of the Act approved February 25, 1920 (U. S. C., title 30, sec. 191), $12,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Oil and gas royalties. Payment to Oklahoma.
42 Stat., 1448; U. S. C., p. 971.

41 Stat., 450; U. S. C., p. 966.

Proviso. Limitation.
48 Stat., 1227; ante, 389.

Indian Affairs Bureau.

BUREAU OF INDIAN AFFAIRS

SALARIES

Commissioner and office personnel.

For the Commissioner of Indian Affairs and other personal services in the District of Columbia, $471,910.

General expenses.

For transportation and incidental expenses of officers and clerks of the Bureau of Indian Affairs when traveling on official duty; for radio, telegraph and telephone toll messages on business pertaining to the Indian Service sent and received by the Bureau of Indian Affairs at Washington, and for other necessary expenses of the Indian Service for which no other appropriation is available, $31,500.

Supplies; purchase, transportation, etc.

For advertising, inspection, storage, and all other expenses incident to the purchase of goods and supplies for the Indian Service and for payment of railroad, pipe-line, and other transportation costs of such goods and supplies, $785,00: *Provided*, That no part of this appropriation shall be used in payment for any services except bill therefor is rendered within one year from the time the service is performed.

Proviso.
Restriction on payments.

Judges of Indian courts.

For pay of judges of Indian courts where tribal relations now exist, at rates to be fixed by the Commissioner of Indian Affairs, $15,000.

Police.

For pay and expenses of Indian police, including chiefs of police at not to exceed $70 per month each and privates at not to exceed $50 per month each, to be employed in maintaining order, and for purchase of equipment and supplies, $117,390.

Suppressing liquor, etc., traffic.

For the suppression of the traffic in intoxicating liquors and deleterious drugs among Indians, $55,880.

Agency buildings.
Lease, purchase, repair, etc.

For lease, purchase, repair, and improvement of agency buildings, exclusive of hospital buildings, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $144,200.

Tribal organizations, expenses.

For expenses of organizing Indian chartered corporations, or other tribal organizations, in accordance with the provisions of the Act of June 18, 1934 (48 Stat., p. 986), including personal services, purchase of equipment and supplies, not to exceed $10,000 for printing and binding, and other necessary expenses, to be immediately available, $150,000, of which not to exceed $30,000 may be used for personal services in the District of Columbia.

48 Stat., 984; ante, 378.

Vehicles, maintenance, etc.

Vehicles, Indian Service: Not to exceed $290,000 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for the use of employees in the Indian field service, and the transportation of Indian school pupils, and not to exceed $160,000 of applicable appropriations may be used for the purchase and exchange of motor-propelled passenger-carrying vehicles, and that such vehicles shall be used only for official service, including the transportation of Indian school pupils.

Official business only.

Emergency allowance for fire, etc., damages.

Replacement of property destroyed by fire, flood, or storm: That to meet possible emergencies not exceeding $50,000 of the appropriations made by this Act for support of reservation and nonreservation schools, for school and agency buildings, and for conservation of health among Indians shall be available, upon approval of the Secretary of the Interior, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Indian Service above referred to which may be destroyed or rendered

unserviceable by fire, flood, or storm: *Provided*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Proviso.
Report of diversions to Congress.

Authorization for attending health and educational meetings: Not to exceed $7,000 shall be available from applicable funds for expenses (not membership fees) of employees of the Indian Service when authorized by the Secretary of the Interior to attend meetings of medical, health, educational, agricultural, forestry, engineering, and industrial associations in the interest of work among the Indians.

Attendance at meetings.

INDIAN LANDS

Indian lands.

Purchase of land and water rights, and so forth, Pueblo Indians, New Mexico (tribal funds): The unexpended balances of appropriations heretofore made, from the trust funds of the several pueblos, for the purchase of land and water rights, purchase of equipment for industrial advancement and fencing, irrigating, and improving lands, are hereby continued available for the same purposes until June 30, 1936: *Provided*, That the unexpended balances of funds awarded to the Tesuque Pueblo and authorized to be used for water development and irrigation, and the purchase of land, are hereby made available also for the purchase of equipment for the industrial advancement of the Indians of said pueblo.

Pueblo Indians, N. Mex.
Land and water rights; reappropriation from tribal funds.
48 Stat., 367; ante, 348.
Proviso.
Tesuque Pueblo.
Purchase of equipment.

Compensation to non-Indian claimants, Pueblo Indian lands, New Mexico: The unexpended balance of the appropriation contained in the Fourth Deficiency Act, fiscal year 1933, for carrying out the provisions of the Act of May 31, 1933, in settlement of the liability of the United States to non-Indian claimants on Indian pueblo grants, whose claims, extinguished under the Act of June 7, 1924, have been found by the Pueblo Lands Board to have been claims in good faith, is hereby continued available for the same purpose from June 30, 1934, until June 30, 1936.

Pueblo Indian lands, N. Mex.
Compensation to non-Indian claimants.
48 Stat., 108, 277; ante, 336, 341.
43 Stat., 636, vol. 4, 454.

Purchase of land for the Navajo Indians, Arizona, reimbursable: The unexpended balance of the appropriation contained in the Deficiency Appropriation Act, fiscal year 1934, for the purchase of land, and improvements thereon, including water rights, for the Navajo Indians in Arizona, as authorized by and in conformity with the provisions of the Act of June 14, 1934 (48 Stat., p. 961), is hereby continued available for the same purposes until June 30, 1936.

Navajo Indians, Ariz.
Purchase of lands.
48 Stat., 1033; ante, 384.
48 Stat., 960; ante, 371.

For the acquisition of lands, interest in lands, water rights and surface rights to lands, and for expenses incident to such acquisition, in accordance with the provisions of the Act of June 18, 1934 (48 Stat., p. 985), including personal services, purchase of equipment and supplies, and other necessary expenses, to be immediately available, $1,000,000, of which not to exceed $15,000 shall be available for personal services in the District of Columbia: *Provided*, That within the States of Arizona and Wyoming no part of said sum shall be used for the acquisition of lands outside of the boundaries of existing Indian reservations.

Acquisition of lands, water rights, etc.
48 Stat., 984; ante, 378.
Proviso.
Use outside reservations restricted.

Compensation to Wyandotte Indians, Oklahoma, for Seneca School lands: For compensation to the Wyandotte Tribe of Indians, Oklahoma, for all their right, title, and interest in and to the land described in section 1 of the Act of June 21, 1934 (48 Stat., p. 1184), $10,000: *Provided*, That the description of the land to be acquired as set forth in the said Act of June 21, 1934, is hereby corrected to read as follows: "East half southwest quarter, southeast quarter northwest quarter, east half southwest quarter northwest quarter,

Seneca School lands.
Compensation to Wyandottes for interest in.
48 Stat., 1184; ante, 387.
Proviso.
Description corrected.

west half southwest quarter southeast quarter, section 21, township 27 north, range 24 east, Indian meridian, Oklahoma."

Loyal Shawnee Indians, Okla.
Balance reappropriated.
46 Stat., 105; ante, 137.

The unexpended balance of the appropriation of $109,746.25 contained in the First Deficiency Act, fiscal year 1930, for payment to the loyal Shawnee Indians in settlement of their claim arising under the twelfth article of the treaty with said Indians proclaimed October 14, 1868 (15 Stat., p. 513), as authorized by and in accordance with the Act of March 4, 1929, and continued available until June 30, 1935, is hereby continued available until June 30, 1936.

15 Stat., 513, vol. 2, 962; 45 Stat., 1550; ante, 92. 48 Stat., 367; ante, 348.

Sac and Fox Indians of Missouri.
Payments to, sale of lands.

The Secretary of the Interior is hereby authorized and directed to withdraw from the Treasury of the United States and pay to the Sac and Fox Tribe of Indians of Missouri the amount of $9,153.20, representing the amounts remaining in two separate funds, plus $268.71 interest, which has accrued to and including December 31, 1934, on the amount of $1,141.70 derived from the sale of lands of said Indians: *Provided*, That prior to the segregation and payment of the above amount to the Indians, there shall be paid to certain attorneys who have rendered services to the Indians under an informal contract not to exceed $400, to reimburse them for expenses incurred for and on behalf of the tribe: *Provided further*, That this appropriation shall be immediately available.

Provisos.
Attorneys' fees.

Immediately available.

Industrial assistance and advancement.

INDUSTRIAL ASSISTANCE AND ADVANCEMENT

Timber preservation, etc.

For the preservation of timber on Indian reservations and allotments other than the Menominee Indian Reservation in Wisconsin, the education of Indians in the proper care of forests, and the general administration of forestry and grazing work, including fire prevention and payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires in contravention of law on Indian lands, $225,000: *Provided*, That this appropriation shall be available for the expenses of administration of Indian forest lands from which timber is sold to the extent only that proceeds from the sales of timber from such lands are insufficient for that purpose.

Proviso.
Administration of forest lands, from timber sales, etc.

Timber sales, etc.; reimbursable.

For expenses incidental to the sale of timber, and for the expenses of administration, including fire prevention, of Indian forest lands from which such timber is sold to the extent that the proceeds of such sales are sufficient for that purpose, $170,000, reimbursable to the United States as provided in the Act of February 14, 1920 (U. S. C., title 25, sec. 413): *Provided*, That this appropriation shall be available for the payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires in contravention of law: *Provided further*, That not to exceed $20,000 of the foregoing amount shall be immediately available for obligations incurred during the fiscal year 1935.

41 Stat., 415, vol. 4, 238; U. S. C., p. 720; Supp. VII. p. 498.
Provisos.
Rewards for information.

Portion immediately available.

Klamath Reservation, Oreg., forest insect control.

Insect control work, Klamath Indian Reservation, Oregon (tribal funds): For continuation of forest insect control work on the Klamath Indian Reservation in Oregon, $10,000, payable from funds on deposit in the Treasury to the credit of the Klamath Indians.

Emergency, forest fire suppression.

For the suppression or emergency prevention of forest fires on or threatening Indian reservations, $15,000, together with $25,000 from funds held by the United States in trust for the respective tribes of Indians interested: *Provided*, That not to exceed $50,000 of appropriations herein made for timber operations and for support and administration purposes may be transferred, upon the approval of the Secretary of the Interior, for fire suppression or emergency prevention purposes, and allotments of funds so trans-

Provisos.
Additional sums available.

ferred shall be made by the Secretary of the Interior only after the obligation for the expenditure has been incurred: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Report to Congress.

For transfer to the Geological Survey for expenditures to be made in inspecting mines and examining mineral deposits on Indian lands and in supervising mining operations on restricted, tribal, and allotted Indian lands leased under the provisions of the Acts of February 28, 1891 (U. S. C., title 25, secs. 336, 371, 397), May 27, 1908 (35 Stat., p. 312), March 3, 1909 (U. S. C., title 25, sec. 396), and other Acts authorizing the leasing of such lands for mining purposes, $62,000.

Geological Survey.
Supervising mining operations.

26 Stat., 794, vol. 1, 56.
35 Stat., 312, 444, 783, vol. 3, 351.
U. S. C., p. 712.

For the purpose of obtaining remunerative employment for Indians, $36,320.

Employment for Indians.

For the purpose of developing agriculture and stock raising among the Indians, including necessary personnel, traveling and other expenses, and purchase of supplies and equipment, $562,170, of which not to exceed $15,000 may be used to conduct agricultural experiments and demonstrations on Indian school or agency farms and to maintain a supply of suitable plants or seed for issue to Indians, and not to exceed $60,000 may be used for the establishment, and not to exceed $15,000 may be used for the operation and maintenance, of a sheep-breeding station on the Navajo Reservation.

Developing agriculture and stock raising.

Experiments and demonstrations.

For the purpose of encouraging industry and self-support among the Indians and to aid them in the culture of fruits, grains, and other crops, $150,000, which sum may be used for the purchase of seeds, animals, machinery, tools, implements, and other equipment necessary, and for advances to Indians having irrigable allotments to assist them in the development and cultivation thereof, in the discretion of the Secretary of the Interior, to enable Indians to become self-supporting: *Provided*, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1941, except in the case of loans on irrigable lands for permanent improvement of said lands, in which the period for repayment may run for not exceeding twenty years, in the discretion of the Secretary of the Interior: *Provided further*, That except for expenditures for the benefit of the Pima Indians, not to exceed $25,000 of the amount herein appropriated shall be expended on any other one reservation or for the benefit of any other one tribe of Indians: *Provided further*, That the Secretary of the Interior is hereby authorized, in his discretion and under such rules and regulations as he may prescribe, to make advances from this appropriation to old, disabled, or indigent Indian allottees, for their support, to remain a charge and lien against their lands until paid.

Industry among Indians.

Provisos.
Repayment.

Pima Indians, Ariz.

Advances to old, etc., allottees.

Industrial assistance (tribal funds): For the construction of homes for individual members of the tribes; the purchase for sale to them of seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support, and Indians having irrigable allotments to assist them in the development and cultivation thereof, to be immediately available, $116,000, payable from tribal funds as follows: Fort Apache, Arizona, $25,000; Fort Peck, Montana, $30,000; Pyramid Lake, Nevada, $11,000; Cheyenne River, South Dakota, $25,000; Shoshone, Wyoming, $25,000; and the unexpended balances of funds available under this head in the Interior Department Appropriation Act for the fiscal year 1935, and the Act of June 27, 1932 (47 Stat., p. 335), are hereby continued available during the fiscal

Industrial assistance.
Constructing homes, purchase of seed, equipment, etc.

Immediately available.
Allotments.

47 Stat., 335; ante, 288; 48 Stat., 369; ante, 349.

Provisos.
Conditions for repayment.

year 1936; *Provided*, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1941, except in the case of loans on irrigable lands for permanent improvement of said lands in which the period for repayment may run for not exceeding twenty years, in the discretion of the Secretary of the Interior, and advances to old, disabled, or indigent Indians for their support, which shall remain a charge and lien against their land until paid: *Provided further*, That advances may be made to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That all moneys reimbursed during the fiscal year 1936 shall be credited to the respective appropriations and be available for the purposes of this paragraph.

Loans on irrigable lands.

Advances to young students.

Credits and availability.

Revolving loan fund.
Loans for economic development.
48 Stat., 986; ante, 379.

For the establishment of a revolving fund for the purpose of making loans to Indian chartered corporations, in accordance with the Act of June 18, 1934 (48 Stat., p. 986), to be immediately available, $2,500,000, of which amount not to exceed $50,000 shall be available for personal services in the District of Columbia and in the field, for purchase of equipment and supplies, and for other necessary expenses of administering such loans.

San Carlos Reservation, Ariz.
Purchase of horses.

For the purchase of horses for the San Carlos Apache Indians, Arizona, to replace stock destroyed in the eradication of dourine on the San Carlos Reservation, $20,000, to be immediately available.

Water supply.

DEVELOPMENT OF WATER SUPPLY

Developing and conserving, etc.

Developing water supply: For developing and conserving water for domestic and stock purposes on lands of the Navajo and Hopi Indians in Arizona and New Mexico, the Papago Indians in Arizona, and the Pueblo Indians of New Mexico, including the purchase and installation of pumping machinery, and other necessary equipment, and for operation and maintenance thereof, $60,000.

Irrigation and drainage.

IRRIGATION AND DRAINAGE

Construction, maintenance, etc.

For the construction, repair, and maintenance of irrigation systems, and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian reservations and allotments; for operation of irrigation systems or appurtenances thereto when no other funds are applicable or available for the purpose; for drainage and protection of irrigable lands from damage by floods or loss of water rights, upon the Indian irrigation projects named below, in not to exceed the following amounts, respectively:

Allotments.

Miscellaneous projects, $12,000; Arizona: Ak Chin, $4,000; Chiu Chui, $4,000; Ganado, $1,500, together with $1,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; Navajo and Hopi, miscellaneous projects, Arizona and New Mexico, $6,500; California: Coachella Valley, $1,000; Morongo, $3,000; Pala and Rincon, $2,000; Colorado: Southern Ute, $11,000, together with $4,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Ap-

propriation Repeal Act, 1934; Nevada: Pyramid Lake, $3,000; Walker River, $5,000; Western Shoshone, $4,000; New Mexico: Miscellaneous Pueblos, $4,000; Zuni, $4,000; Washington: Colville, $4,000; Lummi Diking Project, $1,000, together with $1,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934;

Limitation on expenditure.
48 Stat., 1227; ante, 389.

For necessary miscellaneous expenses incident to the general administration of Indian irrigation projects, including pay of employees and their traveling and incidental expenses, $58,000;

Administrative expenses.

In all, for irrigation on Indian reservations, not to exceed $134,000, reimbursable: *Provided*, That the foregoing amounts shall be available interchangeably, in the discretion of the Secretary of the Interior, for the necessary expenditures for damages by floods and other unforeseen exigencies, but the amount so interchanged shall not exceed in the aggregate 10 per centum of all the amounts so appropriated: *Provided further*, That the cost of irrigation projects and of operating and maintaining such projects where reimbursement thereof is required by law shall be apportioned on a per-acre basis against the lands under the respective projects and shall be collected by the Secretary of the Interior as required by such law, and any unpaid charges outstanding against such lands shall constitute a first lien thereon which shall be recited in any patent or instrument issued for such lands.

Reimbursable.
Provisos.
Sums interchangeable.
Limitation.
Apportioning costs.
Unpaid charges a first lien.

For operation and maintenance of the San Carlos project for the irrigation of lands in the Gila River Indian Reservation, Arizona, $105,000, reimbursable, together with $119,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

San Carlos project, Ariz.
Maintenance, etc.
48 Stat., 1227; ante, 389.

For improvement, operation, and maintenance of the pumping plants and irrigation system on the Colorado River Indian Reservation, Arizona, as provided in the Act of April 4, 1910 (36 Stat., p. 273), $14,000, reimbursable, together with $24,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Colorado River Reservation, Ariz.
Irrigating tribal lands.
36 Stat., 273, vol. 8, 432.

Operation and maintenance, pumping plants, San Carlos Reservation, Arizona (tribal funds): For the operation and maintenance of pumping plants for the irrigation of lands on the San Carlos Reservation, in Arizona, $4,500, to be paid from the funds held by the United States in trust for the Indians of such reservation: *Provided*, That the sum so used shall be reimbursed to the tribe by the Indians benefited, under such rules and regulations as the Secretary of the Interior may prescribe.

San Carlos Reservation, Ariz.
Irrigating tribal lands.
Proviso.
Reimbursement.

For reclamation and maintenance charges on Indian lands within the Yuma Reservation, California, and on ten acres within each of the eleven Yuma homestead entries in Arizona under the Yuma reclamation project, $11,800, reimbursable, together with $13,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with Section 4 of the Permanent Appropriation Repeal Act, 1934.

Yuma Reservation, Calif.-Ariz.
Reclamation, etc., charges.
Reimbursement.

For improvements, maintenance, and operation of the Fort Hall irrigation system, Idaho, $25,000, together with $22,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Hall project, Idaho.
Maintenance, etc.

Fort Belknap Reservation, Mont.
Irrigating tribal lands.

For maintenance and operation, repairs, and purchase of stored waters, irrigation systems, Fort Belknap Reservation, Montana, $14,800, reimbursable, together with $4,200 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Peck project, Mont.
Maintenance, etc.

Reimbursable.

For maintenance and operation of the Little Porcupine Division, the Big Porcupine Division, and not exceeding four thousand acres under the West Side Canal of the Poplar River Division, Fort Peck project, Montana, $7,000, reimbursable, together with $3,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with Section 4 of the Permanent Appropriation Repeal Act, 1934.

Flathead Reservation, Mont.
Irrigating tribal lands.

Provisos.
Modifying terms of contracts.

45 Stat., 212–213; ante, 16, 17.

Interest rate.

First installment of maintenance charges.

Installment due on construction costs.

Jocko Valley irrigation district.

For operation and maintenance of the irrigation systems on the Flathead Indian Reservation, Montana, $12,000, reimbursable, together with $110,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934: *Provided*, That (with the consent of the irrigation districts of the Flathead irrigation project which have executed repayment contracts with the United States as required by law) the Secretary of the Interior may modify the terms of such contracts by requiring the operation and maintenance charges (not heretofore carried into construction costs and which were dealt with in the Act of March 7, 1928 (45 Stat., pp. 212–213)), and those accruing subsequent to March 7, 1928, which were due and unpaid at the time of execution of repayment contract, to be paid over the same period of years and in like manner as the construction costs are to be paid under the terms of the public notice issued by such Secretary on November 1, 1930, as amended April 20, 1931: *Provided*, That no interest rate shall be charged from and after the date of the passage of this Act: *Provided further*, That the first installment of such operation and maintenance charges shall be due and payable on the same date as the first installment of construction charges is due or may be due and payable, where modifications of the contracts are made pursuant hereto: *Provided further*, That the first installment of construction costs shall be due and payable in December 1938 instead of the date now fixed: *Provided further*, That the operation and maintenance cost assessable against the Jocko Valley irrigation district for the calendar year of 1935 shall be carried into the construction costs and shall be payable as other construction costs.

Crow Reservation, Mont.
Irrigating tribal lands.

Reimbursable.

For improvement, maintenance, and operation of the irrigation systems on the Crow Reservation, Montana, including maintenance assessments payable to the Two Leggins Water Users' Association and Bozeman Trail Ditch Company, Montana, properly assessable against lands allotted to the Indians and irrigable thereunder, $10,000, reimbursable, together with $30,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Newlands project, Nev.
Paying charges against Paiute lands.

For payment of annual installment of reclamation charges against Paiute Indian lands within the Newlands reclamation project, Nevada, $5,381; and for payment in advance, as provided by district law, of operation and maintenance assessments, including assessments for the operation of drains to the Truckee-Carson irrigation district, which district, under contract, is operating the Newlands reclamation project, $7,519, to be immediately available; in all, $12,900.

For operation and maintenance of the Hogback irrigation project on that part of the Navajo Reservation in New Mexico under the jurisdiction of the Northern Navajo Agency, $9,000, reimbursable, together with $3,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Navajo Reservation, N. Mex.
Hogback project, maintenance, etc.

For maintenance and operation of the Fruitlands irrigation project, Navajo Reservation, New Mexico, $20,000, reimbursable.

Fruitlands project. Maintenance.

For final payment to the Middle Rio Grande Conservancy District, New Mexico, in accordance with the provisions of the Act entitled "An Act authorizing the Secretary of the Interior to execute an agreement with the Middle Rio Grande Conservancy District providing for conservation, irrigation, drainage, and flood control for the Pueblo Indian lands in the Rio Grande Valley, New Mexico, and for other purposes", approved March 13, 1928 (45 Stat., p. 312), $311,452, or so much thereof as may be necessary, to be immediately available and to be reimbursed as provided in said Act.

Middle Rio Grande Conservancy District, N. Mex.

45 Stat., 312; ante, 34.

Irrigation systems, Klamath Reservation, Oregon: For improvements, maintenance, and operation of miscellaneous irrigation projects on the Klamath Reservation, $2,000, to be paid from the funds held by the United States in trust for the Klamath Indians in the State of Oregon, said sum, or such part thereof as may be used, to be reimbursed to the tribe under such rules and regulations as the Secretary of the Interior may prescribe, together with $2,000 from the general fund of the Treasury, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with Section 4 of the Permanent Appropriation Repeal Act, 1934.

Klamath Reservation, Oreg.
Maintenance, etc., of projects.

For continuing operation and maintenance and betterment of the irrigation system to irrigate allotted lands of the Uncompahgre, Uintah, and White River Utes in Utah, authorized under the Act of June 21, 1906 (34 Stat., p. 375), $25,000, reimbursable, together with $30,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Uintah, etc., Reservation, Utah.
Irrigating tribal lands.
34 Stat., 375, vol. 3, 242.

For operation and maintenance of the Wapato irrigation and drainage system, and auxiliary units thereof, Yakima Indian Reservation, Washington, $1,000, reimbursable, together with $135,500 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Washington.
Wapato system, maintenance, etc.

For reimbursement to the reclamation fund the proportionate expense of operation and maintenance of the reservoirs for furnishing stored water to the lands in Yakima Indian Reservation, Washington, in accordance with the provisions of section 22 of the Act of August 1, 1914 (38 Stat., p. 604), $10,000.

Water payments.
38 Stat., 604, vol. 4, 30.

For the extension of canals and laterals on the ceded portion of the Wind River Reservation, Wyoming, to provide for the irrigation of additional Indian lands, and for the Indians' pro rata share of the cost of the operation and maintenance of canals and laterals and for the Indians' pro rata share of the cost of the Big Bend drainage project on the ceded portion of that reservation, and for continuing the work of constructing an irrigation system within the diminished reservation, including the Big Wind River and Dry Creek Canals, and including the maintenance and operation of completed canals, $28,000, reimbursable, together with $15,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Wind River Reservation, Wyo.
Irrigating tribal lands.

Reimbursable.

Education.

EDUCATION

Support of schools.

For the support of Indian schools not otherwise provided for, and other educational and industrial purposes in connection therewith, including educational facilities authorized by treaty provisions, care of children of school age attending private schools and tuition for Indian pupils attending public schools, $4,609,145: *Provided*, That not to exceed $15,000 of this appropriation may be used for the support and education of deaf and dumb or blind, physically handicapped, or mentally deficient Indian children: *Provided further*, That $4,500 of this appropriation may be used for the education and civilization of the Alabama and Coushatta Indians in Texas: *Provided further*, That not more than $15,000 of the amount herein appropriated may be expended for the tuition (which may be paid in advance) of Indian pupils attending vocational or higher educational institutions, under such rules and regulations as the Secretary of the Interior may prescribe, but formal contracts shall not be required, for compliance with section 3744 of the Revised Statutes (U. S. C., title 41, sec. 16), for payment of tuition of Indian pupils attending public schools, higher educational institutions, or schools for the deaf and dumb, blind, physically handicapped, or mentally deficient.

Provisos.

Deaf, dumb, or blind.

Alabamas and Coushattas, Tex.

Indian pupils in public schools.

Formal contracts not required.

R. S., sec. 3744, p. 738; U. S. C., p. 1310.

Support of schools; tribal funds.

44 Stat., 560, vol. 4, 548.

U. S. C., Supp. VII, p. 493.

Support of Indian schools from tribal funds: For the support of Indian schools, and other educational and industrial purposes in connection therewith, other than among the Five Civilized Tribes, there shall be expended from Indian tribal funds and from school revenues arising under the Act of May 17, 1926 (U. S. C., Supp. VII, title 25, sec. 155a), not more than $387,580, including not to exceed $15,000 from trust funds of the Red Lake Indians; not to exceed $40,000 for tuition and other educational purposes in the Choctaw Nation; and not to exceed $48,000 for payment of tuition for Chippewa Indian children enrolled in the public schools of the State of Minnesota, payable from the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota arising under section 7 of the Act of January 14, 1889 (25 Stat., p. 645).

Red Lake, Minn., school.

Chippewas of Minnesota.

25 Stat., 645, vol. 1, 305.

Education, Osage Nation, Oklahoma (tribal funds): For the education of unallotted Osage Indian children in the Saint Louis Mission Boarding School, Oklahoma, $2,000, payable from funds held in trust by the United States for the Osage Tribe.

Saint Louis Boarding School, Okla.

Vocational and trade schools, educational loans.

48 Stat., 986; ante, 379.

Proviso.

Students in secondary schools.

For loans to Indians for the payment of tuition and other expenses in recognized vocational and trade schools, in accordance with the provisions of the Act of June 18, 1934 (48 Stat., p. 986), $175,000, reimbursable: *Provided*, That not more than $35,000 of such sum shall be available for loans to Indian students in high schools and colleges.[1]

Summer schools, subsistence.

For subsistence of pupils retained in Government boarding schools of all classes during summer months, $45,000.

School buildings.

Lease, improvement, etc.

For lease, purchase, repair, and improvement of buildings at Indian schools not otherwise provided for, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $299,400.

Nonreservation boarding schools.

Support, etc., of designated.

For support and education of Indian pupils at the following nonreservation boarding schools in not to exceed the following amounts, respectively:

Phoenix, Ariz.

Phoenix, Arizona: For five hundred pupils, including not to exceed $1,500 for printing and issuing school paper, $170,000; for

[1] 15 Comp. Gen. Dec. 69.

pay of superintendent, drayage, and general repairs and improvements, $24,000; in all, $194,000;

Sherman Institute, Riverside, California: For six hundred and fifty pupils, including not to exceed $1,000 for printing and issuing school paper, $221,000; for pay of superintendent, drayage, and general repairs and improvements, $20,000; in all, $241,000; Sherman Institute, Riverside, Calif.

Haskell Institute, Lawrence, Kansas: For six hundred pupils, including not to exceed $2,500 for printing and issuing school paper, $204,000; for pay of superintendent, drayage, and general repairs and improvements, including necessary drainage work, $23,000; in all, $227,000; Haskell Institute, Lawrence, Kansas.

Pipestone, Minnesota: For two hundred and fifty pupils, $82,000; for pay of superintendent, drayage, and general repairs and improvements, $15,000; in all, $97,000; Pipestone, Minn.

Carson City, Nevada: For five hundred and twenty-five pupils, $159,750; for pay of superintendent, drayage, and general repairs and improvements, $15,000; in all, $174,750; Carson City, Nev.

Albuquerque, New Mexico: For six hundred and fifty pupils, $221,000; for pay of superintendent, drayage, and general repairs and improvements, $23,000; in all, $244,000; Albuquerque, N. Mex.

Santa Fe, New Mexico: For four hundred and fifty pupils, $159,750; for pay of superintendent, drayage, and general repairs and improvements, $15,000; in all, $174,750; Santa Fe, N. Mex.

Bismarck, North Dakota: For one hundred pupils, $36,000; for pay of superintendent, drayage, and general repairs and improvements, $7,000; in all, $43,000; Bismarck, N. Dak.

Wahpeton, North Dakota: For three hundred pupils, $97,250; for pay of superintendent, drayage, and general repairs and improvements, $11,000; in all, $108,250; Wahpeton, N. Dak.

Chilocco, Oklahoma: For six hundred and fifty pupils, including not to exceed $2,000 for printing and issuing school paper, $221,000; for pay of superintendent, drayage, and general repairs and improvements, $22,000; in all, $243,000; Chilocco, Okla.

Sequoyah Orphan Training School, near Tahlequah, Oklahoma: For three hundred and fifty orphan Indian children of the State of Oklahoma belonging to the restricted class, to be conducted as an industrial school under the direction of the Secretary of the Interior, $114,250; for pay of superintendent, drayage, and general repairs and improvements, $12,000; for enlarging hospital, including purchase of equipment, $24,000; for the purchase of land, $15,000; in all, $165,250; Sequoyah Orphan Training School, Okla.

Carter Seminary, Oklahoma: For one hundred and sixty-five pupils, $57,525; for pay of principal, drayage, and general repairs and improvements, $6,000; in all, $63,525; Carter Seminary, Okla.

Euchee, Oklahoma: For one hundred and fifteen pupils, $39,525; for pay of principal, drayage, and general repairs and improvements, $6,000; in all, $45,525; Euchee, Okla.

Eufaula, Oklahoma: For one hundred and thirty-five pupils, $46,725; for pay of principal, drayage, and general repairs and improvements, $6,000; in all, $52,725; Eufaula, Okla.

Jones Academy, Oklahoma: For one hundred and seventy-five pupils, $61,125; for pay of principal, drayage, and general repairs and improvements, $6,000; in all, $67,125; Jones Academy, Okla.

Wheelock Academy, Oklahoma: For one hundred and thirty pupils, $45,050; for pay of principal, drayage, and general repairs and improvements, $6,000; in all, $51,050; Wheelock Academy, Okla.

Chemawa, Salem, Oregon: For three hundred pupils, including not to exceed $1,000 for printing and issuing school paper, $106,500; for local vocational training program directed from the school, Chemawa, Salem, Oreg.

$20,500; for pay of superintendent, drayage, and general repairs and improvements, including improvements to heating system and shop facilities, $60,000; in all, $187,000;

Flandreau, S. Dak.

Flandreau, South Dakota: For four hundred and fifty pupils, $159,750; for pay of superintendent, drayage, and general repairs and improvements, $17,000; in all, $176,750;

Pierre, S. Dak.

Pierre, South Dakota: For two hundred and twenty-five pupils, $74,875; for pay of superintendent, drayage, and general repairs and improvements, $12,000; in all, $86,875;

Total, nonreservation boarding schools.

In all, for above-named nonreservation boarding schools, not to exceed $2,642,575: *Provided*, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures for similar purposes in the various boarding schools named, but not more than 10 per centum shall be added to the amount appropriated for any one of said boarding schools or for any particular item within any boarding school. Any such interchanges shall be reported to Congress in the annual Budget.

Proviso.
Sums interchangeable.

Report to Congress.

Five Civilized Tribes, Okla.
Common schools.

For aid to the common schools in the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Nations and the Quapaw Agency in Oklahoma, $398,000, to be expended in the discretion of the Secretary of the Interior and under rules and regulations to be prescribed by him: *Provided*, That this appropriation shall not be subject to the limitation in section 1 of the Act of May 25, 1918 (U. S. C., title 25, sec. 297), limiting the expenditure of money to educate children of less than one-fourth Indian blood: *Provided further*, That of this appropriation not to exceed $2,500 may be expended in the printing and issuance of a paper devoted to Indian education, which paper shall be printed at an Indian school; not to exceed $10,000 may be expended under rules and regulations of the Secretary of the Interior, in part payment of truancy officers in any county or two or more contiguous counties where there are five hundred or more Indian children eligible to attend school, and not to exceed $10,000 may be expended in the discretion of the Secretary of the Interior for the payment of salaries of public-school teachers, employed by the State or county, in special Indian day schools in full-blood Indian communities, where there are not adequate white day schools available for their attendance.

Provisos.
Parentage limitation not applicable.
40 Stat., 564, vol. 4, 149; U. S. C., p. 708.

Printing, etc., school paper.

Truancy officers.

Employing public-school teachers where facilities inadequate.

Alaska natives.

Natives in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for support and education of the Eskimos, Aleuts, Indians, and other natives of Alaska, including necessary traveling expenses of pupils to and from industrial boarding schools in Alaska; purchase, repair, and rental of school buildings, including purchase of necessary lands; textbooks and industrial apparatus; pay and necessary traveling expenses of superintendents, teachers, physicians, and other employees; repair, equipment, maintenance, and operation of vessels; and all other necessary miscellaneous expenses which are not included under the above special heads, including $327,380 for salaries, $17,500 for traveling expenses, $190,120 for equipment, supplies, fuel, and light, $25,000 for repairs of buildings, $63,000 for freight and operation and repair of vessels, $1,000 for rentals, and $2,000 for telephone and telegraph; in all, $626,000, to be immediately available: *Provided*, That not to exceed 10 per centum of the amounts appropriated for the various items in this paragraph shall be available interchangeably for expenditures on the objects included in this paragraph, but not more than 10 per centum shall be added to any one item of appropriation except in cases of extraordinary emergency and then only upon the written order of the Secretary of the Interior.

Miscellaneous expenses.

Proviso.
Interchangeable sums.

CONSERVATION OF HEALTH

Conservation of health.

For conservation of health among Indians, including equipment, materials, and supplies; repairs and improvements to buildings and plants; compensation and traveling expenses of officers and employees and renting of quarters for them when necessary; transportation of patients and attendants to and from hospitals and sanatoria; returning to their former homes and interring the remains of deceased patients; and not exceeding $1,000 for printing and binding circulars and pamphlets for use in preventing and suppressing trachoma and other contagious and infectious diseases, $3,534,620, including not to exceed $2,604,000 for the following-named hospitals and sanatoria:

Designated expenses.

Suppressing trachoma, etc.

Allotments to specified hospitals, etc.

Arizona: Indian Oasis Hospital, $23,000; Kayenta Sanatorium, $50,000; Fort Defiance Sanatorium and Southern Navajo General Hospital, $105,000; Phoenix Sanatorium, $75,000; Pima Hospital, $27,000; Truxton Canyon Hospital, $12,000; Western Navajo Hospital, $36,500; Chin Lee Hospital, $12,500; Fort Apache Hospital, $27,000; Havasupai Hospital, $5,000; Hopi Hospital, $40,000; Leupp Hospital, $26,000; San Carlos Hospital, $19,000; Tohatchi Hospital, $13,500; Colorado River Hospital, $23,000; San Xavier Sanatorium, $42,500; Phoenix Hospital, $31,500; Winslow Sanatorium, $45,000;

Arizona.

California: Hoopa Valley Hospital, $25,000; Soboba Hospital, $22,000; Fort Bidwell Hospital, $20,000; Fort Yuma Hospital, $20,000;

California.

Colorado: Ute Mountain Hospital, $15,000; Edward T. Taylor Hospital, $25,000;

Colorado.

Idaho: Fort Lapwai Sanatorium, $85,000; Fort Hall Hospitals, $16,500;

Idaho.

Iowa: Sac and Fox Sanatorium, $73,000;

Iowa.

Minnesota: Pipestone Hospital, $22,000;

Minnesota.

Mississippi: Choctaw Hospital, $27,000;

Mississippi.

Montana: Blackfeet Hospital, $29,000; Fort Peck Hospital, $22,000; Crow Agency Hospital, $28,000; Fort Belknap Hospital, $30,000; Tongue River Hospital, $30,000;

Montana.

Nebraska: Winnebago Hospital, $39,000;

Nebraska.

Nevada: Carson Hospital, $23,000; Walker River Hospital, $21,000; Western Shoshone Hospital, $15,000;

Nevada.

New Mexico: Albuquerque Sanatorium, $100,000; Jicarilla Hospital and Sanatorium, $60,000; Mescalero Hospital, $20,000; Eastern Navajo Hospital, $32,000; Northern Navajo Hospital, $30,000; Taos Hospital, $20,000; Zuni Sanatorium, $50,000; Albuquerque Hospital, $50,000; Charles H. Burke Hospital, $8,000; Santa Fe Hospital, $40,000; Toadlena Hospital, $11,500;

New Mexico.

North Carolina: Cherokee Hospital, $16,000;

North Carolina.

North Dakota: Turtle Mountain Hospital, $37,500; Fort Berthold Hospital, $18,000; Fort Totten Hospital, $23,000; Standing Rock Hospital, $28,000;

North Dakota.

Oklahoma: Cheyenne and Arapahoe Hospital, $36,000; Choctaw and Chickasaw Sanatorium, $55,000; Shawnee Sanatorium, $90,000; Claremore Hospital, $36,000; Clinton Hospital, $20,000; Pawnee and Ponca Hospital, $30,000; Kiowa Hospital, $97,000;

Oklahoma.

Oregon: Warm Springs Hospital, $12,000;

Oregon.

South Dakota: Crow Creek Hospital, $22,000; Pine Ridge Hospitals, $43,000; Rosebud Hospital, $28,000; Yankton Hospital, $15,000;

South Dakota.

Utah: Uintah Hospital, $15,000.

Utah.

Washington: Yakima Sanatorium, $40,000; Tacoma Sanatorium, $200,000; Tulalip Hospital, $10,000; Colville Hospital, $25,000;

Washington.

Wisconsin: Hayward Hospital, $33,000; Tomah Hospital, $27,000;

Wisconsin.

Wyoming: Shoshone, $25,000;

Wyoming.

Provisos.
Sums interchangeable.

Provided, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures in the various hospitals named, but not more than 10 per centum shall be added to the amount appropriated for any one of said hospitals or for any particular item within any hospital, and any interchange of appropriations hereunder shall be reported to Congress in the Annual Budget: *Provided further*, That nonreservation boarding schools receiving specific appropriations shall contribute on a per diem basis for the hospitalization of pupils in hospitals located at such schools and supported from this appropriation.

Report to Congress.

Hospitalization of pupils.

Clinical survey of disease conditions.

For a clinical survey of tuberculosis, trachoma, and venereal and other disease conditions among Indians, $20,000: *Provided*, That in conducting such survey the cooperation of such State and other organizations engaged in similar work shall be enlisted wherever practicable and where services of physicians, nurses, or other persons are donated their travel and other expenses may be paid from this appropriation.

Proviso.
Local cooperation.

Chippewas in Minnesota.
Hospitals for, from tribal funds.
25 Stat., 645, vol. 1, 305.

Support of hospitals, Chippewas in Minnesota (tribal funds): For support of hospitals maintained for the benefit of the Chippewa Indians in the State of Minnesota, $162,000, payable from the principal sum on deposit to the credit of said Indians arising under section 7 of the Act of January 14, 1889 (25 Stat., p. 645).

Medical relief in Alaska.

Medical relief in Alaska: To enable the Secretary of the Interior, in his discretion, and under his direction through the Bureau of Indian Affairs, with the advice and cooperation of the Public Health Service, to provide for the medical and sanitary relief of the Eskimos, Aleuts, Indians, and other natives of Alaska; purchase, repair, rental, and equipment of hospital buildings; not to exceed $4,000 for purchase of land; books and surgical apparatus; pay and necessary traveling expenses of physicians, nurses, and other employees, and all other necessary miscellaneous expenses which are not included under the above special heads, $295,000, to be available immediately.

GENERAL SUPPORT AND ADMINISTRATION

General support and administration.

For general support of Indians and administration of Indian property, including pay of employees authorized by continuing or permanent treaty provisions, $2,254,350.

Sundry agencies and reservations.

Metlakahtla Indians of Alaska; Annette Islands Reserve.

For pay of employees, village improvements, relief of destitution, and such other purposes as may be requested by the town council of Metlakahtla, Annette Islands Reserve, Alaska, and approved by the Secretary of the Interior, $25,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Proviso.
Limitation.
48 Stat., 1227; ante, 389.

Specified agencies, from tribal funds.

For general support of Indians and administration of Indian property under the jurisdiction of the following agencies, to be paid from the funds held by the United States in trust for the respective tribes, in not to exceed the following sums, respectively:

Arizona.

Arizona: Colorado River, $3,000; Fort Apache, $50,000; San Carlos, $55,800; Truxton Canyon, $6,500; in all, $115,300;

California.

California: Mission, $5,000;

Colorado.

Colorado: Consolidated Ute (Southern Ute, $15,000; Ute Mountain, $15,000); in all, $30,000;

Idaho.

Idaho: Fort Hall, $4,800;

Iowa: Sac and Fox, $2,000; Iowa.

Minnesota: Red Lake, $41,600; Consolidated Chippewa, $5,000, and the unexpended balance of the appropriation of $5,000 for the fiscal year 1935, for establishing a system of cooperative marketing for Indian crops, including wild rice, berries, fish, and furs, is hereby continued available for the same purpose until June 30, 1936; in all, $46,600; Minnesota. Cooperative market system. 48 Stat., 377; ante, 355.

Montana: Flathead, $10,000; Montana.

North Carolina: Cherokee, $58,000, to be immediately available; North Carolina.

Oregon: Klamath, $55,000; Oregon.

South Dakota: Cheyenne River, $73,000; South Dakota.

Washington: Puyallup, $1,000 for upkeep of the Puyallup Indian cemetery; Taholah (Quinaielt), $1,000, (Quileute), $2,500; in all, $4,500; Washington.

Wisconsin: Keshena, $61,500, including $10,000 for monthly allowances, under such rules and regulations as the Secretary of the Interior may prescribe, to old and indigent members of the Menominee Tribe who reside with relatives or friends; Wisconsin.

In all, not to exceed $465,700.

Support of Chippewa Indians in Minnesota (tribal funds): For general support, administration of property, and promotion of self-support among the Chippewa Indians in the State of Minnesota, $85,000, to be paid from the principal sum on deposit to the credit of said Indians, arising under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota", approved January 14, 1889 (25 Stat., p. 645); *Provided*, That not to exceed $40,000 of the foregoing amount may be expended, in the discretion of the Secretary of the Interior, in aiding indigent Chippewa Indians upon the condition that any funds used in support of a member of the tribe shall be reimbursed out of and become a lien against any individual property of which such member may now or hereafter become seized or possessed, the two preceding requirements not to apply to any old, infirm, or indigent Indian, in the discretion of the Secretary of the Interior. Chippewas in Minnesota. General support, etc. 25 Stat., 645, vol. 1, 305. *Proviso.* Aiding indigent.

Expenses of tribal officers, Five Civilized Tribes, Oklahoma (tribal funds): For the current fiscal year money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, salaries and contingent expenses of the governor of the Chickasaw Nation and chief of the Choctaw Nation, one mining trustee for the Choctaw and Chickasaw Nations, at salaries at the rate heretofore paid for the said governor and said chief and $4,000 for the said mining trustee, and one attorney each for the Choctaw and Chickasaw Tribes employed under contract approved by the President under existing law: *Provided*, That the expenses of the above-named officials shall be determined and limited by the Commissioner of Indian Affairs, at not to exceed $2,500 each. Five Civilized Tribes. Expenses, etc., tribal officers. *Proviso.* Limitation.

Support of Osage Agency and pay of tribal officers, Oklahoma (tribal funds): For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage Reservation, Oklahoma, including pay of necessary employees, the tribal attorney and his stenographer, one special attorney in tax and other matters, and pay of tribal officers; payment of damages to individual allottees; repairs to buildings, rent of quarters for employees, traveling expenses, printing, telegraphing and telephoning, and purchase, repair, and operation of automobiles, $161,000, payable Osages, Okla. Agency expenses from tribal funds.

from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma: *Provided*, That $2,500 of the foregoing amount may be used to reimburse the heirs of Odell DeNoya Bighorse for attorneys' fees paid in the prosecution of a suit in the interest of the Osage Tribe as a whole.

Proviso.
Payment to heirs of Odell DeNoya Bighorse.

Tribal councils, traveling, etc., expenses.

Expenses of tribal councils or committees thereof (tribal funds): For traveling and other expenses of members of tribal councils, business committees, or other tribal organizations, when engaged on business of the tribes, including visits to Washington, District of Columbia, when duly authorized or approved in advance by the Commissioner of Indian Affairs, $50,000, of which amount $10,000 shall be immediately available, payable from funds on deposit to the credit of the particular tribe interested: *Provided*, That, except for the Navajo Tribe, not more than $5,000 shall be expended from the funds of any one tribe or band of Indians for the purposes herein specified: *Provided further*, That no part of this appropriation shall be available for per diem in lieu of all other expenses of members of tribal councils, business committees or other tribal organizations, when in Washington, in excess of $6, nor for more than a thirty-day period, unless the Secretary of the Interior shall in writing approve a greater amount or a longer period.

Provisos.
Trial expenditure limited.

Per diem, etc., limitation.

Menominee Indians, Wis.; audit of tribal funds.

Timber operations.

Audit of the tribal funds of the Menominee Indians: For the purpose of making an audit of the tribal funds of the Menominee Indians, including, without limitation, an engineering audit of the timber operations on the Menominee Reservation in Wisconsin, to be immediately available, $20,000, payable from funds on deposit to the credit of said Menominee Indians: *Provided*, That to accomplish said audit the tribal council or business committee of said Menominee Indians may enter into a contract or contracts, to be approved by the Secretary of the Interior, with a firm of certified public accountants, and, with a timber engineer: *Provided further*, That this appropriation shall be available for related investigations, for services, travel, and other expenses necessary to a complete engineering and general audit, expenditures for such purposes to be paid upon presentation by attorneys acting for said Menominee Indians of itemized vouchers approved by the Commissioner of Indian Affairs.

Provisos.
Contracts authorized.

Availability.

Roads and bridges.

ROADS AND BRIDGES

Gallup - Shiprock Highway, N. Mex. maintenance, etc.

Proviso.
Indian labor.

For maintenance and repair of that portion of the Gallup-Shiprock Highway within the Navajo Reservation, New Mexico, including the purchase of machinery, $20,000, reimbursable: *Provided*, That other than for supervision and engineering only Indian labor shall be employed for such maintenance and repair work.

Reservation road construction, etc.

45 Stat., 750; ante. 57. 48 Stat., 1058; ante, 386. U. S. C., Supp. VII, p. 494.

For construction, improvement, repair, and maintenance of Indian reservation roads under the provisions of the Acts of May 26, 1928 (U. S. C., Supp. VII, title 25, sec. 318a), and June 19, 1934 (48 Stat., p. 1058) $4,000,000, to remain available until expended.

Annuities and per capita payments.

ANNUITIES AND PER CAPITA PAYMENTS

Senecas, N. Y.
4 Stat., 442.

For fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831, 4 Stat., p. 442), $6,000.

Six Nations, N. Y.
7 Stat., 46, vol. 2, 36.

For fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), $4,500.

For fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty of June 22, 1855), $3,000; for permanent annuity for support for light horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), $600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $320; in all, $10,520.

Choctaws, Okla.
7 Stat., 99, 212, 213, 236; vol. 2, 58, 87, 192, 211, 706. 11 Stat., 614; vol. 2, 707.

For fulfilling treaties with Pawnees, Oklahoma: For permanent annuity, (article 2, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), $30,000.

Pawnees, Okla.
11 Stat., 729, vol. 2, 764; 27 Stat., 644, vol. 1, 496.

For payment of Sioux benefits to Indians of the Sioux Reservations, as authorized by the Act of March 2, 1889 (25 Stat., p. 895), as amended, $190,000.

Indians of Sioux reservations.
25 Stat., 895, vol. 1, 328.

For payment of interest on moneys held in trust for the several Indian tribes, as authorized by various Acts of Congress, $510,000.

Interest; Indian trust funds.

When, in the judgment of the Secretary of the Interior, it is necessary for accomplishment of the purposes of appropriations herein made for the Indian field service, such appropriations shall be available for purchase of ice, rubber boots for use of employees, for travel expenses of employees on official business, and for the cost of packing, crating, drayage, and transportation of personal effects of employees upon permanent change of station.

Field service employees.
Funds for, available for supplies, etc.

The appropriations for education of natives of Alaska and medical relief in Alaska shall be available for the payment of traveling expenses of new appointees from Seattle, Washington, to their posts of duty in Alaska, and of traveling expenses, packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station within Alaska, under regulations to be prescribed by the Secretary of the Interior.

Funds available for travel expenses.

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NATIONAL PARK SERVICE

National Park Service.

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Glacier National Park, Montana: For administration, protection, and maintenance, including necessary repairs to the roads from Glacier Park Station through the Blackfeet Indian Reservation to the various points in the boundary line of the Glacier National Park and the international boundary, including not exceeding $1,800 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $175,000.

Glacier, Mont.

* * * * * * *

Roads and Trails, National Park Service: For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks, monuments, and other areas administered by the National Park Service, including areas authorized to be established as national parks and monuments, and national park and monument approach roads authorized by the Act of January 31, 1931 (U. S. C., title 16, sec. 8a and 8b), as amended, including the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary, $7,500,000,

Roads and trails, construction, etc.

to be immediately available and to remain available until expended: *Provided*, That not to exceed $23,000 of the amount herein appropriated may be expended for personal services in the District of Columbia during the fiscal year 1936.

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Field work appropriations available for work animals, etc.

SEC. 2. Appropriations herein made for field work under the General Land Office, the Bureau of Indian Affairs, the Bureau of Reclamation, the Geological Survey, the Bureau of Mines, and the National Park Service shall be available for the hire, with or without personal services, of work animals and animal-drawn and motor-propelled vehicles and equipment.

Approved, May 9, 1935.

May 14, 1935.
[S. 613.]
49 Stat., 217.

CHAP. 108.—An Act To add certain public-domain land in Montana to the Rocky Boy Indian Reservation

Rocky Boy Indian Reservation, Mont.
Addition to, authorized.
30 Stat., 739; 44 Stat., 1347, vol. 4, 936.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That approximately five hundred and fifty-seven acres of public-domain land in the State of Montana, described as lots 2, 4, 6, and 8, section 25; lots 2, 4, 6, and 8, section 26; lots 2, 4, 6, and 8, section 27; lots 2, 3, and 4, section 28; lot 5, section 29, township 28 north, range 15 east; lots 2, 4, 6, and 8, section 27; lots 2, 4, 6, and 8, section 28; lots 2, 4, 6, and 8, section 29, lots 5, 7, 9, and 11, section 30, township 28 north, range 16 east, of the Montana meridian, in Montana, be, and the same are hereby, withdrawn from the public domain and added to the Rocky Boy Indian Reservation: *Provided*, That the rights and claims of bona fide settlers initiated under the public-land laws prior to January 6, 1934, shall not be affected by this Act.

Proviso.
Prior rights not affected.

Approved, May 14, 1935.

May 15, 1935.
[S. 2145.]
49 Stat., 244.

CHAP. 112.—An Act Extending the time for repayment of the revolving fund for the benefit of the Crow Indians

Crow Indians.
Time extended for repaying revolving fund.
41 Stat., 755, vol. 4, 273; 43 Stat., 1301, vol. 4, 507.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for repayment to the tribe of the $50,000 revolving fund for the benefit of the Crow Indians, created by the Act of June 4, 1920 (41 Stat. 755), for the purchase of seed, animals, machinery, tools, implements, and other equipment is hereby extended from June 30, 1935, to June 30, 1945, and said fund is hereby made available for such purposes for the further period of ten years from and after June 30, 1935.

Availability of fund.

Approved, May 15, 1935.

May 17, 1935.
[H. R. 6718.]
49 Stat., 247.

CHAP. 131.—An Act Making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1936, and for other purposes

Department of Agriculture. Farm Credit Administration appropriations, fiscal year, 1936.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1936, namely:

TITLE I—DEPARTMENT OF AGRICULTURE

Title I—Department of Agriculture.

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Secretary's office.

BUREAU OF PUBLIC ROADS

Public Roads Bureau.

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FEDERAL-AID HIGHWAY SYSTEM

Federal-Aid Highways.

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Main roads, construction, etc.

For the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations, under the povisions of the Act of June 24, 1930 (46 Stat. 805), and as authorized by section 6 of the Highway Act of June 18, 1934 (48 Stat. 994), $2,500,000, to be immediately available and remain available until expended.

46 Stat., 805; post, 633. 48 Stat. 994; ante, 378.

NATIONAL INDUSTRIAL RECOVERY HIGHWAY FUNDS

National Industrial Recovery Highway Funds.

* * * * * * *

Public land highways, emergency construction.

The appropriation of $2,000,000 for roads on unappropriated or unreserved public lands, nontaxable Indian lands, and so forth, contained in the Act entitled "An Act to relieve destitution, to broaden the lending powers of the Reconstruction Finance Corporation, and to create employment by providing for and expediting a public-works program", approved July 21, 1932, is hereby continued available during the fiscal year 1936, and not to exceed $4,760 may be used for personal services in the District of Columbia.

47 Stat., 717; post, 634.

Services in the District.

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Approved, May 17, 1935.

CHAP. 135.—An Act Granting a leave of absence to settlers of homestead lands during the year 1935

May 22, 1935.
[S. 1776.]

49 Stat., 286.

Public lands.
Homestead entrymen; leaves of absence, calendar year 1935.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any homestead settler or entryman who, during the calendar year 1935, should find it necessary, because of economic conditions, to leave his homestead to seek employment in order to obtain the necessaries of life for himself and family or to provide for the education of his children may, upon filing with the register of the district, his affidavit, supported by corroborating affidavits of two disinterested persons showing the necessity of such absence, be excused from compliance with the requirements of the homestead laws as to residence, cultivation, improvements, expenditures, or payment of purchase money, as the case may be, during all or any part of the calendar year 1935, and said entries shall not be open to contest or protest because of failure to comply with such requirements during such absence; except that the time of such absence shall not be deducted from the actual residence required by law, but a period equal to such absence shall be added to the statutory life of the entry: *Provided*, That any entryman holding an unperfected entry on ceded Indian lands may be excused from the requirements of residence upon the conditions provided herein, but shall not be entitled to extension of time

Absence added to statutory life of entry.

Proviso.
Installment payment extension.

for the payment of any installment of the purchase price of the land except upon proof satisfactory to the Secretary of the Interior that the entryman is acting in good faith and is financially unable to make the payments due, and upon payment of interest, in advance, at the rate of 4 per centum per annum on the principal of any unpaid purchase price from the date when such payment or payments became due to and inclusive of the date of the expiration of the period of relief granted hereunder.

Interest payment.

Approved, May 22, 1935.

May 29, 1935.
[H. R. 2045.]
49 Stat., 312.

CHAP. 157.—An Act To set aside certain lands for the Chippewa Indians in the State of Minnesota

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described lands are hereby withdrawn from the Minnesota National Forest Reserve under the Department of Agriculture and are hereby permanently reserved as Indian lands for the use of the Chippewas in the State of Minnesota, without in any manner affecting existing reserves for church, cemetery, or other purposes, or individual rights and interests in said lands:

Chippewa Indians in Minnesota.
Certain lands set aside for use of.

Description.

South half southwest quarter northeast quarter and lots 9 to 30, inclusive, section 17, township 142 north, range 30 west, fifth principal meridian, Minnesota, containing one hundred and sixty-eight and forty-four one-hundredths acres.

Permanent reservation declared.

SEC. 2. Said lands are hereby permanently reserved in trust for the use of the Chippewa Indians of Minnesota for village site purposes.

Reimbursement from Indian funds.

SEC. 3. The Secretary of the Interior is hereby authorized to withdraw from the Chippewa tribal fund now held in trust in the Treasury of the United States a sufficient sum to reimburse the United States for any moneys paid said Chippewa Indians for these lands.

Approved, May 29, 1935.

June 4, 1935.
[H. R. 2046.]
49 Stat., 321.

CHAP. 168.—An Act To compensate the Chippewa Indians of Minnesota for lands set aside by treaties for their future homes and later patented to the State of Minnesota under the Swamp Land Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury of the United States not otherwise appropriated, the sum of $223,162.62, said amount to be credited to the trust fund of the Chippewa Indians of Minnesota arising under the provisions of section 7 of the Act of January 14, 1889, in full payment for one hundred and seventy-eight thousand five hundred and thirty and ten one-hundredths acres of land embraced within reservations established by the treaties of March 11, 1863 (12 Stat. 1249), May 7, 1864 (13 Stat. 693), and March 19, 1867 (16 Stat. 719), for the future homes of said Indians, and later patented to the State of Minnesota under the provisions of the amendatory Swamp Land Act of March 12, 1860, without compensation to said Indians.

Chippewa Indians of Minnesota.
Compensation to, for certain treaty lands.
25 Stat., 645, vol. 1, 305.

12 Stat., 1249, vol. 2, 839; 13 Stat., 693, vol. 2, 862; 16 Stat., 719, vol. 2, 974.

12 Stat., 3; U. S. C., p. 1400.

Attorneys' fees, from Indian funds.

SEC. 2. That the Secretary of the Interior be, and he hereby is, authorized to determine just and proper compensation to the respective attorneys representing the Chippewa Indians of Minnesota in the prosecution of their claims against the United States for the services rendered in the prosecution of said claim, said compensation to be based upon the nature, extent, character, and value of said

services, and to pay such amounts, if any, as he may find said attorneys to be entitled to receive out of the trust funds standing to the credit of the Chippewa Indians of Minnesota.

Approved, June 4, 1935.

CHAP. 188.—An Act To provide funds for cooperation with public-school districts in Glacier County, Montana, in the improvement and extension of school buildings to be available to both Indian and white children

June 7, 1935.
[S. 1522.]
49 Stat., 327.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $100,000, of which $60,000 is to be used for the purpose of cooperating with School District Numbered 9 in Glacier County, Montana, in the improvement and extension of high-school buildings, and $40,000 to be used in the improvement and extension of school buildings in other public-school districts in said Glacier County: *Provided*, That said schools shall be available to both white and Indian children without discrimination, except that tuition may be paid for Indian children attending in the discretion of the Secretary of the Interior: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Glacier County, Mont.
Funds for public-school construction, authorized.
Post, 438.

Provisos.
Attendance of Indian pupils.

Limitation on expenditures.

Approved, June 7, 1935.

CHAP. 189.—An Act To provide funds for cooperation with the public-school board at Wolf Point, Montana, in the construction or improvement of a public-school building to be available to Indian children of the Fort Peck Indian Reservation, Montana

June 7, 1935.
[S. 1523.]
49 Stat., 327.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $50,000 for the purpose of cooperating with the public-school board of district numbered 45, town of Wolf Point, county of Roosevelt, Montana, for construction, extension and betterment of the public high-school building at Wolf Point, Montana: *Provided*, That the expenditure of any money so authorized shall be subject to the express conditions that the school maintained by the said district in the said building shall be available to all Indian children of Fort Peck Indian Reservation, Montana, on the same terms, except as to the payment of tuition, as other children of said school district, and that accommodations in said enlarged building to the extent of one-half its capacity shall be available for Indian children from the Fort Peck Reservation: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Wolf Point, Mont.
Funds for public-school construction, authorized.
Post, 438.

Provisos.
Attendance of Indian pupils.

Limitation on expenditures.

Approved, June 7, 1935.

CHAP. 190.—An Act To provide funds for cooperation with school district numbered 23, Polson, Montana, in the improvement and extension of school buildings to be available to both Indian and white children

June 7, 1935.
[S. 1524.]
49 Stat.. 328.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $40,000 for the purpose of cooper-

Plson, Mont.
Funds for public-school construction, authorized.
Post, 438.

ating with school district numbered 23, Polson, Montana, in the improvement and extension of public-school buildings: *Provided*, That the schools maintained by the district shall be available to both Indian and white children without discrimination, except that tuition may be paid for Indian children attending in the discretion of the Secretary of the Interior: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Provisos.
Attendance of Indian pupils.

Limitation on expenditures.

Approved, June 7, 1935.

June 7, 1935.
[S. 1525.]
49 Stat., 328.

CHAP. 191.—An Act To provide funds for cooperation with Joint School District Numbered 28, Lake and Missoula Counties, Montana, for extension of public-school buildings to be available to Indian children of the Flathead Indian Reservation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $100,000 for the purpose of cooperating with Joint School District Numbered 28, Lake and Missoula Counties, Montana, for the extension and improvement of public-school buildings, namely, at Arlee in the sum of $40,000, at Roman in the sum of $30,000, and at Saint Ignatius in the sum of $30,000: *Provided*, That the expenditure of any money so appropriated shall be subject to the condition that the schools maintained by said district shall be available to all Indian children of the Flathead Indian Reservation, Montana, on the same terms, except as payment of tuition, as other children of said school district: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Lake and Missoula Counties, Mont.
Funds for public-school construction, authorized.
Post, 438.

Provisos.
Attendance of Indian pupils.

Limitation on expenditures.

Approved, June 7, 1935.

June 7, 1935.
[S. 1526.]
49 Stat., 328.

CHAP. 192.—An Act To provide funds for cooperation with the school board at Brockton, Montana, in the extension of the public-school building at that place to be available to Indian children of the Fort Peck Indian Reservation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $40,000 for the purpose of cooperating with the public-school board of district numbered 55, town of Brockton, and county of Roosevelt, Montana, for the extension and betterment of the public-school building at Brockton, Montana: *Provided*, That the expenditure of any money so appropriated shall be subject to the express conditions that the school maintained by the said school district in the said building shall be available to all Indian children of the Fort Peck Indian Reservation, Montana, on the same terms, except as to payment of tuition, as other children of said school district, and that accommodations in said enlarged building to the extent of one-half its capacity shall be available for Indian children from the Fort Peck Reservation: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Brockton, Mont
Funds for public-school construction, authorized
Post, 438.

Provisos.
Attendance of Indian pupils.

Limitation on expenditures.

Approved, June 7, 1935.

CHAP. 193.—An Act For expenditure of funds for cooperation with the public-school board at Poplar, Montana, in the construction or improvement of public-school building to be available to Indian children of the Fort Peck Indian Reservation, Montana

June 7, 1935.
[S. 1528.]
49 Stat., 329.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated from any moneys in the Treasury not otherwise appropriated the sum of $25,000 for the purpose of cooperating with the public-school board of district numbered 9, town of Poplar, Montana: *Provided*, That the expenditure of any money so authorized shall be subject to the express conditions that the school maintained by the said school district in the said building shall be available to all Indian children of Fort Peck Indian Reservation, Montana, on the same terms, except as to payment of tuition, as other children of said school district and that accommodations in said enlarged building to the extent of one-half its capacity shall be available for Indian children from the Fort Peck Reservation: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Poplar, Mont.
Funds for public-school construction, authorized.

Post, 438.

Provisos.
Attendance of Indian pupils.

Limitation on expenditures.

Approved, June 7, 1935.

CHAP. 194.—An Act To authorize appropriations for the completion of the public high school at Frazer, Montana

June 7, 1935.
[S. 1530.]
49 Stat. 329.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized, out of any funds in the Treasury not otherwise appropriated, the sum of $25,000 for the completion of the public high school at Frazer, Montana, and for necessary equipment in connection therewith for manual, laboratory, and other lines of training.

Frazer, Mont.
Funds for public-school construction, authorized.
Post, 438.

Approved, June 7, 1935.

CHAP. 195.—An Act To provide funds for cooperation with Marysville School District, number 325, Snohomish County, Washington, for extension of public-school buildings to be available for Indian children

June 7, 1935.
[S. 1533.]
49 Stat., 329.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, from any moneys in the Treasury not otherwise appropriated, the sum of $38,000 for the purpose of cooperating with Marysville School District, number 325, Snohomish County, Washington, for extension and improvements of school buildings: *Provided*, That the expenditure of any moneys so appropriated shall be subject to the condition that the schools maintained by said district shall be available to all the Indian children of the district on the same terms, except as to payment of tuitions, as other children of said school district: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Marysville, Wash.
Funds for public-school construction, authorized.
Post, 438.

Provisos.
Attendance of Indian pupils.

Limitations on expenditures.

Approved, June 7, 1935.

June 7, 1935.
[S. 1534.]
49 Stat., 330.

CHAP. 196.—An Act To provide funds for cooperation with the school board at Queets, Washington, in the construction of a public-school building to be available to Indian children of the village of Queets, Jefferson County, Washington

Queets, Wash.
Funds for public-school construction, authorized.
Post, 438.

Be it enacted by the Senate and House of Representaiives of the United States of America in Congress assembled, That there it[1] hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $10,000 for the purpose of cooperating with the public-school board of district numbered 20, Jefferson County, Washington, for the construction, extension, and betterment of a public-school building at Queets, Washington: *Provided*, That the expenditure of any money so appropriated shall be subject to the express conditions that the school maintained by the said school district in the said building shall be available to all Indian children of the village of Queets and Jefferson County, Washington, on the same terms, except as to payment of tuition, as other children of said school district: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Provisos.
Attendance of Indian pupils.

Limitation on expenditures.

Approved, June 7, 1935.

June 7, 1935.
[S. 1535.]
49 Stat., 330.

CHAP. 197.—An Act To provide funds for cooperation with White Swan School District, Numbered 88, Yakima County, Washington, for extension of public-school buildings to be available for Indian children of the Yakima Reservation

White Swan, Wash.
Funds for public-school construction, authorized.
Post, 438.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, from any moneys in the Treasury not otherwise appropriated, the sum of $50,000 for the purpose of cooperating with White Swan School District, Numbered 88, Yakima County, Washington, for extension and improvement of public-school buildings: *Provided*, That the expenditure of any moneys so appropriated shall be subject to the condition that the schools maintained by said district shall be available to all Indian children of the district on the same terms, except as to payment of tuition, as other children of said school district: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Provisos.
Attendance of Indian pupils.

Limitation on expenditures.

Approved, June 7, 1935.

June 7, 1935.
[S. 1536.]
49 Stat., 331.

CHAP. 198.—An Act To provide funds for cooperation with the public-school board at Covelo, California, in the construction of public-school buildings to be available to Indian children of the Round Valley Reservation, California

Covelo, Calif.
Funds for public-school construction, authorized.
Post, 438.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, from any funds in the Treasury not otherwise appropriated, the sum of $50,000 for the purpose of cooperating with the Round Valley Union High School District Board of School Trustees, town of Covelo, and County of Mendocino, California, for construction of a new public high-school plant at Covelo, California: *Provided*, That the expenditure of any money so appropriated shall be subject to the express conditions that the school maintained by the said school district in the said building shall be available to all Indian children on the same terms, except as to payment of tuition, as other children of said school district: *Provided*

Provisos.
Attendance of Indian pupils.

Limitation on expenditures.

[1] So in original.

further, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Approved, June 7, 1935.

CHAP. 199.—An Act To provide funds for cooperation with the school board of Shannon County, South Dakota, in the construction of a consolidated high-school building to be available to both white and Indian children

June 7, 1935.
[S. 1537.]
49 Stat., 331.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $125,000 for the purpose of cooperating with the public-school board of Shannon County, South Dakota, for the construction and equipment of a consolidated public high-school building, at Pine Ridge, South Dakota: *Provided*, That said school shall be conducted for both white and Indian children without discrimination, and that practical training for vocations and home economics be provided, and that the cost of education of white children shall be defrayed by the State and local public-school authorities, in accordance with such agreement or agreements as may be made between the Secretary of the Interior and State or local officials, and any and all sums of money obtained by reason of such agreement or agreements shall be available for reexpenditure for support and maintenance of said school.

Shannon County, S. Dak.
Funds for public-school construction, authorized.
Post, 438.

Proviso.
Attendance of Indian pupils.

Tuition of white children.

Approved, June 7, 1935.

CHAP. 202.—An Act To transfer certain lands from the Veterans' Administration to the Department of the Interior for the benefit of Yavapai Indians, Arizona

June 7, 1935.
[S. 1469.]
49 Stat., 332.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction over that tract of land, identified under a metes-and-bounds description beginning at the intersection of the west boundary line of the former Whipple Barracks Military Reserve and the south line of section 28 in township 14 north, range 2 west, Gila and Salt Lake meridian, Arizona, thence northwesterly along said west boundary line eight hundred and eighty feet; thence northeasterly at right angles one thousand seven hundred and sixty feet; thence southeasterly parallel with the said west boundary line one thousand seven hundred and sixty feet; thence southwesterly at right angles one thousand seven hundred and sixty feet; thence northwesterly along said west boundary line eight hundred and eighty feet to point of beginning, containing approximately seventy-five acres, is hereby transferred from the Veterans' Administration to the Department of the Interior, and the title to said described lands shall remain in the United States in trust for the Yavapai Indians.

Yavapai Indians.
Transfer of certain lands to Interior Department for benefit of.
Description.

Approved, June 7, 1935.

CHAP. 204.—An Act To provide funds for cooperation with school district numbered 27, Big Horn County, Montana, for extension of public-school buildings to be available to Indian children

June 7, 1935.
[H. R. 5213.]
49 Stat., 333.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, from any moneys in the Treasury not otherwise appropriated, the sum of $80,000 for the purpose of cooperating with school district numbered 27, Big Horn County, Montana,

Big Horn County, Mont.
Funds for public-school construction, authorized.
Post, 438.

Provisos.
Attendance of Indian pupils.

for the extension and improvement of public-school buildings: *Provided*, That the expenditure of any money so appropriated shall be subject to the condition that the schools maintained by said district shall be available to all Indian children of the school district on the same terms, except as to payment of tuition, as other children of said school district: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Limitations on expenditures.

Approved, June 7, 1935.

June 7, 1935.
[H. R. 5216.]
49 Stat., 333.

CHAP. 205.—An Act To provide funds for cooperation with Harlem School District Numbered 12, Blaine County, Montana, for extension of public-school buildings and equipment to be available for Indian children

Harlem, Mont.
Funds for public-school construction, authorized.
Post, 438.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, from any moneys in the Treasury not otherwise appropriated, the sum of $15,000 for the purpose of cooperating with Harlem School District Numbered 12, Blaine County, Montana, for equipment, extension, and improvements of public high-school buildings at Harlem, Montana: *Provided*, That the expenditures of any moneys so appropriated shall be subject to the condition that the schools maintained by said district shall be available to all the Indian children of the district on the same terms, except as to payment of tuition, as other children of said school district: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Provisos.
Attendance of Indian pupils.

Limitation on expenditures.

Approved, June 7, 1935.

June 11, 1935.
[H. R. 5210.]
49 Stat., 336.

CHAP. 215.—An Act to provide funds for cooperation with school district numbered 17–H, Big Horn County, Montana, for extension of public-school buildings, to be available to Indian children

Big Horn County, Mont.
Funds for public-school construction, authorized.
Post, 438.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, from any moneys in the Treasury not otherwise appropriated, the sum of $158,000 for the purpose of cooperating with school district numbered 17–H, Big Horn County, Montana, for the extension and improvement of public-school buildings at Hardin and at Crow Agency: *Provided*, That the expenditure of any moneys so appropriated shall be subject to the condition that the schools maintained by said district shall be available to all Indian children of the school district on the same terms, except as to payment of tuition, as other children of the school district: *Provided further*, That such expenditure shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Provisos.
Attendance of Indian pupils.

Limitation on expenditure.

Approved, June 11, 1935.

June 11, 1935.
[H. R. 6315.]
49 Stat., 336.

CHAP. 216.—An Act to provide funds for cooperation with the school board at Medicine Lake, Montana, in construction of a public-school building to be available to Indian children of the village of Medicine Lake, Sheridan County, Montana

Medicine Lake, Mont.
Funds for public-school construction, authorized.
Post, 438.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated the sum of $25,000 for the purpose of cooperating with the public-school board of district num-

bered 7, Sheridan County, Montana, for the construction, extension, and betterment of a public-school building at Medicine Lake, Montana: *Provided*, That the expenditure of any money so appropriated shall be subject to the express conditions that the school maintained by the said school district in the said building shall be available to all Indian childen of the village of Medicine Lake Sheridan County, Montana, on the same terms, except as to payment of tuition, as other children of said school district: *And provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Provisos.
Attendance of Indian pupils.

Limitation on expenditure.

Approved, June 11, 1935.

CHAP. 219.—An Act to further extend relief to water users on United States reclamation projects and on Indian irrigation projects

June 13, 1935.
[S. 1305.]
49 Stat., 337.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1. That all of the provisions of the Act entitled "An Act to further extend the operation of the Act entitled 'An Act for the temporary relief of water users on irrigation projects constructed and operated under the reclamation law', approved April 1, 1932", approved March 27, 1934, be, and all of the provisions thereof are hereby, further extended for the period of one year.

Reclamation projects.
Further extension of payments for water charges, authorized.
48 Stat., 500.

SEC. 2. The Secretary of the Interior is authorized and directed to extend to water users on Indian irrigation projects during the calendar years 1934 and 1935 like relief to that provided in the Acts of January 26th, 1933 (47 Stat. 776), and March 3, 1933 (47 Stat. 1427), applicable to the calendar years 1931, 1932, and 1933.

Water users on Indian irrigation projects.
Payments deferred.
47 Stat., 776, 1427; ante, 298, 328; post, 464.

Approved, June 13, 1935.

CHAP. 238.—An act authorizing the exchange of the lands reserved for the Seminole Indians in Florida for other lands

June 14, 1935.
[S. 654.]
49 Stat., 339.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to exchange lands in the State of Florida reserved for the Seminole Indians by Executive order of June 28, 1911, or purchased for said Indians, or any part thereof, for lands owned by the State of Florida. Upon conveyance to the United States by the State of Florida of a sufficient title to the lands to be acquired for the use of the Seminole Indians, the Secretary of the Interior is authorized to issue a patent in fee or to make other proper conveyance to the State of Florida covering the lands granted in exchange.

Seminole Indians in Florida.
Exchange of lands with, authorized.

Approved, June 14, 1935.

CHAP. 239.—An Act To authorize an appropriation to carry out the provisions of the Act of May 3, 1928 (45 Stat. L. 484)

June 14, 1935.
[S. 2241.]
49 Stat., 340.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an appropriation is hereby authorized in the sum of $79,002.19 to pay various Sioux Indians enrolled at the different agencies the amounts which have been awarded to them by the Secretary of the Interior under the Act of May 3, 1928 (45 Stat. L. 484), on account of allotments of land to which they were entitled but did not receive: *Provided*, That the Secretary of the Interior is authorized and directed to deter-

Sioux Indians.
Sum authorized for payments to.

45 Stat., 484; ante, 43. 47 Stat., 818, ante, 304.

Proviso.
Attorney's fees.

mine what attorney or attorneys have rendered services of value in behalf of said Indians and to pay such attorney or attorneys on such findings when appropriation is available the reasonable value of such services, not to exceed 10 per centum of the recovery on each individual claim, which payment shall be in full settlement for all services rendered by such attorney or attorneys to said claimants in said claims.

Limitation.

Approved, June 14, 1935.

June 14, 1935.
[S. J. Res. 130.]
49 Stat., 376.

CHAP. 248.—Joint Resolution Making immediately available the appropriation for the fiscal year 1936 for the construction, repair, and maintenance of Indian-reservation roads

Indian Reservation roads.
Funds for, in Interior Department Act, made immediately available.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the appropriation of $4,000,000 for the construction, repair, and maintenance of Indian-reservation roads, contained in the Interior Department Appropriation Act for the fiscal year ending June 30, 1936, is hereby made immediately available.

Approved, June 14, 1935.

June 15, 1935.
[H. R. 7781.]
49 Stat., 378.

CHAP. 260.—An Act To define the election procedure under the Act of June 18, 1934, and for other purposes[1]

Indians; election procedure under Act of June 18, 1934.
48 Stat., 984; ante, 378.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in any election heretofore or hereafter held under the Act of June 18, 1934 (48 Stat. 984), on the question of excluding a reservation from the application of the said Act or on the question of adopting a constitution and bylaws or amendments thereto or on the question of ratifying a charter, the vote of a majority of those actually voting shall be necessary and sufficient to effectuate such exclusion, adoption, or ratification, as the case may be: *Provided, however*, That in each instance the total vote cast shall not be less than 30 per centum of those entitled to vote.

Proviso.
Vote requirement.

Time extended for holding election.

SEC. 2. The time for holding elections on the question of excluding a reservation from the application of said Act of June 18, 1934, is hereby extended to June 18, 1936.

Period of trust or restrictions on alienation of Indian land, extended; conditions.

SEC. 3. If the period of trust or of restriction on any Indian land has not, before the passage of this Act, been extended to a date subsequent to December 31, 1936, and if the reservation containing such lands has voted or shall vote to exclude itself from the application of the Act of June 18, 1934, the periods of trust or the restrictions on alienation of such lands are hereby extended to December 31, 1936.

Existing laws and treaty provisions effective.

SEC. 4. All laws, general and special, and all treaty provisions affecting any Indian reservation which has voted or may vote to exclude itself from the application of the Act of June 18, 1934 (48 Stat. 984), shall be deemed to have been continuously effective as to such reservation, notwithstanding the passage of said Act of June 18, 1934. Nothing in the Act of June 18, 1934, shall be construed to abrogate or impair any rights guaranteed under any existing treaty with any Indian tribe, where such tribe voted not to exclude itself from the application of said Act.

Existing rights.

Approved, June 15, 1935.

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[1] 55 I. D. D., 356.

CHAP. 275.—An Act Authorizing the Tlingit and Haida Indians of Alaska to bring suit in the United States Court of Claims, and conferring jurisdiction upon said court to hear, examine, adjudicate, and enter judgment upon any and all claims which said Indians may have, or claim to have, against the United States, and for other purposes

June 19, 1935.
[H. R. 2756.]
49 Stat., 388.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of this Act the Tlingit and Haida Indians of Alaska shall be defined to be all those Indians of the whole or mixed blood of the Tlingit and Haida Tribes who are residing in Russian America, now called the Territory of Alaska, in the region known and described as southeastern Alaska, lying east of the one hundred and forty-first meridian.

Tlingit and Haida Indians of Alaska.

SEC. 2. All claims of whatever nature, legal or equitable, which the said Tlingit and Haida Indians of Alaska may have, or claim to have, against the United States, for lands or other tribal or community property rights, taken from them by the United States without compensation therefor, or for the failure or refusal of the United States to compensate them for said lands or other tribal or community property rights, claimed to be owned by said Indians, and which the United States appropriated to its own uses and purposes without the consent of said Indians, or for the failure or refusal of the United States to protect their interests in lands or other tribal or community property in Alaska, and for loss of use of the same, at the time of the purchase of the said Russian America, now Alaska, from Russia, or at any time since that date and prior to the passage and approval of this Act, shall be submitted to the said Court of Claims by said Tlingit and Haida Indians of Alaska for the settlement and determination of the equitable and just value thereof, and the amount equitably and justly due to said Indians from the United States therefor; and the loss to said Indians of their right, title, or interest, arising from occupancy and use, in lands or other tribal or community property, without just compensation therefor, shall be held sufficient ground for relief hereunder; and jurisdiction is hereby conferred upon said court to hear such claims and to render judgment and decree thereon for such sum as said court shall find to be equitable and just for the reasonable value of their said property, if any was so taken by the United States without the consent of the said Indians and without compensation therefor; that from the decision of the Court of Claims in any suit or suits prosecuted under the authority of this Act an appeal may be taken by either party, as in other cases, to the Supreme Court of the United States.

Claims of, may be submitted to Court of Claims.

Settlement and determination of amounts due.

Jurisdiction conferred.

SEC. 3. That the claim or claims of said Tlingit and Haida Indians of Alaska may be presented and prosecuted separately or jointly in one or more suits, by petition or petitions setting out the facts upon which they base their demands for relief and judgment or decree; the petition or petitions may be amended when necessary more fully or specifically to set forth their said claim or claims, and said suit or suits shall be filed in said Court of Claims within seven years after the date of the passage of this Act; such suit or suits shall make the said Indians parties plaintiff and the United States party defendant, and the final judgment or decree shall conclude and forever settle the claim or claims so presented; the Court of Claims shall have full authority by proper orders and process to bring in and make parties to such suit or suits any and all parties deemed by it necessary or proper to the final determination of the matters in

Presentation of claims.

Time for filing suit.

Final judgment; effect.

Authority of court.

Employment of attorneys for Indians.

controversy; such petition or petitions may be verified by any attorney or attorneys employed by said Indians, under contract approved by the Commissioner of Indian Affairs and the Secretary of the Interior, and said contract shall be executed in behalf of said Indians by a committee chosen by them under the direction and approval of the Commissioner of Indian Affairs and the Secretary of the Interior; verification may be upon information and belief as to the facts alleged; a true copy of the written contract or contracts by which such attorney or attorneys are employed by said Indians to represent them in such suit or suits shall be filed in said Court of Claims, as their authority by the said attorney or attorneys to so appear in said suit or suits for said Indians and to prosecute their said claim or claims in said Court of Claims.

Hearings and settlement of claims.

SEC. 4. That if any claim or claims shall be submitted to said court it shall hear and settle the equitable and just rights therein, notwithstanding lapse of time, or statutes of limitations, or the fact that the said claim or claims have not been presented to any other tribunal, or the fact that said Tlingit and Haida Indians of Alaska may have been made citizens of the United States by the Act of Congress of June 2, 1924 (43 Stat. L. 253), or by any other law of the United States, or the fact that the said Indians, or any of them, collectively, prior to the passage and approval of this Act, may have severed their tribal relations with the said Tlingit and Haida Tribes. Any payment which may have been made by the United States or moneys heretofore or hereafter expended to date of award for the benefit of the said Tlingit and Haida Indians of Alaska, made under specific appropriations for the support, education, health, and civilization of said Indians, including purchase of lands, shall not be pleaded as an estoppel but may be pleaded by way of set-off.

43 Stat., 253, vol. 4, 420; U. S. C., p. 121.

Prior payments.

Public records as evidence.

SEC. 5. Official letters, papers, documents, and public records, or certified copies thereof, from the files and records of the United States, or the Territory of Alaska, and Russian documents and similar records, and historical data and books prepared by American or other standard historians or authors, relating to the subject matter in controversy in said suit or suits, may be used in evidence by either party, and the departments of the United States Government shall give the attorneys for both parties access to such papers, correspondence, and documents as are in the files.

Commissioner to take testimony, etc., authorized.

43 Stat., 964; U. S. C., p. 899.

SEC. 6. The Court of Claims shall appoint at the proper time a commissioner or commissioners under the provisions of the Act of February 24, 1925 (43 Stat. L. 964), and Acts supplemental thereto, who shall have the aid of a stenographer to take the testimony to be used in the investigation of such claims. In addition to the present powers of such commissioner to take such testimony, he is hereby authorized to take the testimony of said Alaska Indians and their witnesses at such place or places in Alaska as are most convenient for said Indians and their witnesses; that the said Alaska Indians shall produce their witnesses in Alaska at such times and places as said commissioner shall direct, at their own expense, but the expenses of said commissioner and stenographer shall be paid by the United States out of the funds provided for such purposes in the said Act of February 24, 1925, and said supplemental Acts.

Witnesses.

Expenses.
43 Stat., 965.

Indians entitled to share in judgment.

SEC. 7. That Tlingit and Haida Indians of Alaska who are entitled to share in any judgment or appropriation made to pay said claim or claims shall consist of all persons of Tlingit or Haida blood, living in or belonging to any local community of these tribes in the territory described in section 1 of this Act. Each tribal community shall pre-

Tribal roll to be prepared.

pare a roll of its tribal membership, which roll shall be submitted to a Tlingit and Haida central council for its approval. The said central council shall prepare a combined roll of all communities and submit it to the Secretary of the Interior for approval. Approval of the roll by the said Secretary of the Interior shall operate as final proof of the right of such Indian communities to share in the benefits of this Act as set forth in section 8.

Approval of roll; effect.

SEC. 8. The amount of any judgment in favor of said Tlingit and Haida Indians of Alaska, after payment of attorneys fees, shall be apportioned to the different Tlingit and Haida communities listed in the roll provided for in section 7 in direct proportion to the number of names on each roll, and shall become an asset thereof, and shall be deposited in the Treasury of the United States to the credit of each community, and such funds shall bear interest at the rate of 4 per centum per annum, and shall be expended from time to time upon requisition by the said communities by and with advice and consent of the Secretary of the Interior, and under regulations as he may prescribe, for the future economic security and stability of said Indian groups, through the acquisition or creation of productive economic instruments and resources of public benefit to such Indian communities: *Provided, however*, That the interest on such funds may be used for beneficial purposes such as the relief of distress, emergency relief and health: *Provided further*, That none of the funds above indicated or the interest thereon shall ever be used for per capita payments.

Apportionment of benefits.

Deposits and expenditures.

Provisos.
Use of interest.

Per capita payments.

SEC. 9. That upon the final determination of any suit or suits instituted under this Act, if there is judgment for the plaintiff Indians, the Court of Claims shall inquire into the agreement or contract which said Indians have made with their attorneys for compensation for their services in said suit or suits, and if said Court of Claims shall find that such services have been faithfully performed by said attorneys, it shall make a finding to that effect and adjudge that said attorneys' compensation shall be paid as agreed upon in said contract out of the appropriation made for the payment of the sum found due to said Indians, but in no case to exceed 10 per centum of the amount of the total recovery, and said sum so found to be due to said attorneys shall be paid in full out of the sums so found due to said Indians and the remainder of said total sum due to said Indians shall be expended as provided in section 8 of this Act.

Attorneys' services.

Limitation.

SEC. 10. A copy of the petition and other pleadings and briefs in said suit or suits brought under this Act shall be served upon the Attorney General of the United States, and he, or some attorney from the Department of Justice to be designated by him, is hereby directed to appear and defend the interests of the United States in such case or cases.

Notice to Attorney General, etc.

Approved, June 19, 1935.

CHAP. 281.—An Act To reserve eighty acres on the public domain for the use and benefit of the Kanosh Band of Indians in the State of Utah

June 20, 1935.
[S. 380.]
49 Stat., 393.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the west half southwest quarter section 10, township 23 south, range 5 west, Salt Lake meridian, Utah, be, and the same is hereby, reserved for the sole use and occupancy of the Kanosh Band of Indians of Utah: *Provided*, That the rights and claims of any bona fide settler initiated under the public-land laws prior to the approval hereof shall not be affected by this Act.

Public lands.
Reserved for Kanosh Band of Indians, Utah.

Proviso.
Rights of bona fide settlers not affected.

Approved, June 20, 1935.

June 20, 1935.
[S. 1831.]
49 Stat., 393.

CHAP. 282.—An Act Transferring certain national-forest lands to the Zuni Indian Reservation, New Mexico

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the lands in townships 8 and 9 north, ranges 16 and 17 west, of the New Mexico principal meridian, New Mexico, comprising the Miller Division of the Cibola National Forest, are hereby eliminated from the Cibola National Forest and withdrawn as an addition to the Zuni Indian Reservation, subject to any valid existing rights of any persons thereto.[1]

Zuni Indian Reservation, N. Mex.
Designated forest lands transferred to.

Approved, June 20, 1935.

July 2, 1935.
[H. R. 4123.]
49 Stat., 444.

CHAP. 358.—An Act Providing for the payment of $15 to each enrolled Chippewa Indian of the Red Lake Band of Minnesota from the timber funds standing to their credit in the Treasury of the United States

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 and directed to withdraw from the Treasury so much as may be necessary of the principal timber fund on deposit to the credit of the Red Lake Band of the Chippewa Indians of the State of Minnesota and to make therefrom payment of $15 to each enrolled Chippewa Indian of the Red Lake Band of Minnesota, immediately payable upon the passage of this Act under such regulations as such Secretary shall prescribe. No payment shall be made under this Act until the Chippewa Indians of the Red Lake Band of Minnesota shall, in such manner as such Secretary shall prescribe, have accepted such payments and ratified the provisions of this Act. The money paid to the Indians under this Act shall not be subject to any lien or claim of whatever nature against any of said Indians.

Red Lake Band of Chippewa Indians, Minn.
Per capita payment to, from tribal funds.

Acceptance, etc.

Payments not subject to any lien, etc.

Approved, July 2, 1935.

July 24, 1935.
[S. 2532.]
49 Stat., 496.

CHAP. 414.—An Act To amend an Act entitled "An Act setting aside Rice Lake and contiguous lands in Minnesota for the exclusive use and benefit of the Chippewa Indians of Minnesota", approved June 23, 1926, 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 Act entitled "An Act setting aside Rice Lake and contiguous lands in Minnesota for the exclusive use and benefit of the Chippewa Indians of Minnesota", approved June 23, 1926 (44 Stat. L. 763), be, and the same is hereby, amended to read as follows:

Wild Rice Lake Indian Reserve, Minn.
44 Stat., 763, amended, vol. 4, 560.

"That there be, and is hereby, created within the county of Clearwater, State of Minnesota, a permanent reserve to be known as 'Wild Rice Lake Indian Reserve', which reserve shall include Rice Lake and the following-described contiguous lands: Beginning at the northwest corner of the northeast quarter southeast quarter section 8, township 145 north, range 38 west, and running due east to the northeast corner of southeast quarter section 9; thence south to northeast corner of northeast quarter section 16; thence due east to northeast corner of northeast quarter section 14, township 145 north, range 38 west; thence due south to southeast corner of northeast quarter section 2, township 144 north, range 38 west; thence due west to southwest corner of northwest quarter section 3 of said township and range; thence due north to southwest corner of northwest quar-

Permanent reserve created.

Description.

[1] 38 Opp. Atty. Gen. 123.

ter section 15, township 145 north, range 38 west; thence due west to southwest corner of northwest quarter section 16; thence due north to northwest corner of northwest quarter said section 16; thence west to southwest corner of southeast quarter southeast quarter section 8; thence north to point of beginning, which, excluding the lake bed, contains approximately four thousand five hundred acres.

"SEC. 2. All unallotted and undisposed-of public or Indian lands held in trust by the United States within the area described in section 1 hereof are hereby permanently withdrawn from sale or other disposition and are made a part of said reserve; and the Secretary of the Interior is authorized to (a) accept in the name of the United States voluntary conditional grants, conditioned only upon the continued permanent use of said lands for the purpose hereinafter stated, and none other, of any lands within said reserved area now held in public, private, State, or Indian ownership; (b) acquire by purchase any of said lands not so conditionally granted at such price as he may deem fair and equitable; or (c) acquire by condemnation any of said lands not acquired by conditional grants or by purchase, so as to vest in the United States for the purposes of this Act good title to all land included in any such reserve.

Undisposed-of lands within, made part of reserve.

Acquisition of other lands.
By gift.

By purchase.

By condemnation.

"SEC. 3. The Secretary of the Interior is authorized, in his discretion, to establish not to exceed three additional wild-rice reserves in the State of Minnesota, which shall include wild-rice-bearing lakes situated convenient to Chippewa Indian communities or settlements, including all lands which, in the judgment of said Secretary, are necessary to the proper establishment and maintenance of said reserves and the control of the water levels of the lakes: *Provided, however*, That there shall be and hereby is excluded from said reserves any and all areas, whether of land or water, necessary or useful for the development to the maximum of water power or the improvement of navigation in the Pigeon River, an international boundary stream, and tributary lakes and streams. The Secretary is authorized to withdraw and acquire, on the same terms provided in section 2 hereof, all lands which, in his judgment, may be necessary for the proper establishment, control, maintenance, and operation of any reserve established under this section.

Additional wild rice reserves convenient to Chippewa settlements to be established.

Proviso.
Areas excluded.

Necessary lands to be acquired, on same terms.

"SEC. 4. Any reserves established under this Act, including the water levels therein, shall be maintained and operated under the supervision and control of the Secretary of the Interior, in conformity with such rules and regulations as he may prescribe, for the primary purpose of conserving wild rice beds for the exclusive use and benefit of the Chippewa Indians of Minnesota. The said Secretary, upon such terms and conditions as he may deem proper, may enter into an agreement in writing with the State of Minnesota, through its department of conservation, or other proper State agency, for the administration of any reserve created under this Act, and for its use for other or different purposes, conditioned only that such other and different uses shall not impair the primary purpose for which said reserve was created and its administration in strict conformity with said rules and regulations prescribed by said Secretary.

Supervision of maintenance, etc.

State administration.

"SEC. 5. All costs of establishing the reserves herein authorized, including the acquisition of the lands, and the construction of dams or other structures to regulate the water levels, are hereby authorized to be paid by the Secretary of the Interior out of the trust funds of the Chippewa Indians of Minnesota in the Treasury of the United States."

Payment of costs, etc., from Indian trust funds.

Approved, July 24, 1935.

August 12, 1935.
[H. R. 8554.]
49 Stat., 571.

CHAP. 508.—An Act Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1935, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1935, and June 30, 1936, and for other purposes

Second Deficiency Act, fiscal year, 1935.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1935, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1935, and June 30, 1936, and for other purposes, namely:

* * * * * * *

Interior Department.

DEPARTMENT OF THE INTERIOR

* * * * * * *

Indian Affairs Bureau.

BUREAU OF INDIAN AFFAIRS

General expenses. Transportation, etc.

General expenses: For an additional amount for transportation and incidental expenses of officers and clerks of the Bureau of Indian Affairs when traveling on official duty; for telegraph and telephone toll messages on business pertaining to the Indian Service sent and received by the Bureau of Indian Affairs at Washington, and for other necessary expenses of the Indian Service for which no other appropriation is available, fiscal year 1934, $4,800.

Field representatives.

Field representatives, Indian Service: For an additional amount for salaries, traveling and incidental expenses of field representatives of the Commissioner of Indian Affairs, fiscal year 1933, $46.45.

Menominee Indians, Wis. Audit of funds.

Menominee Indians: The appropriation of $20,000 from tribal funds of the Menominee Indians, Wisconsin, for the purpose of making an audit of such funds and for other purposes, contained in the Interior Department Appropriation Act, fiscal year 1936, approved May 9, 1935, is hereby made available for the expenses of such audit from and after February 1, 1935, and the contract or contracts for such audit may be made retroactive to February 1, 1935.

Sioux Sanatorium, etc. Balance reappropriated. 47 Stat., 412, 783.

Conservation of health among Indians (Sioux Sanatorium and employees' quarters, South Dakota): The unexpended balance of the appropriation of $375,000 (including the amount impounded under section 320 of the Act of June 30, 1932), contained in the Interior Department Appropriation Act, fiscal year 1932, and continued available by the Acts of April 22, 1932, and February 17, 1933, for the construction of the Sioux Sanatorium and employees' quarters at Pierre, South Dakota, is hereby reappropriated and made available until June 30, 1937, for such a sanatorium and employees' quarters at such place in South Dakota as the Secretary of the Interior shall select.

Public school buildings, construction.

Construction, enlargement, or improvement of public-school buildings: For cooperation with public-school districts in the construction, enlargement, or improvement of local public elementary or high schools, including purchase of necessary equipment, as authorized by and in conformity with numerous Acts of the Seventy-fourth Congress approved June 7, 1935, fiscal year 1936, $931,000, as follows: Queets, Washington, $10,000 (Public, Numbered 111); Glacier County, Montana, $100,000 (Public, Numbered 103); Wolf Point, Montana, $50,000 (Public, Numbered 104); Polson, Montana, $40,000 (Public, Numbered 105); Lake and Missoula Counties, Montana, $100,000 (Public, Numbered 106); Brockton, Montana, $40,000

Ante, 430.

(Public, Numbered 107); Poplar, Montana, $25,000 (Public, Numbered 108); Marysville, Washington, $38,000 (Public, Numbered 110); Frazer, Montana, $25,000 (Public, Numbered 109); White Swan, Washington, $50,000 (Public, Numbered 112); Covelo, California, $50,000 (Public, Numbered 113); Shannon County, South Dakota, $125,000 (Public, Numbered 114); Big Horn County, Montana (district numbered 27), $80,000 (Public, Numbered 119); Blaine County, Montana, $15,000 (Public, Numbered 120); Medicine Lake, Montana, $25,000 (Public, Numbered 127); Hardin and Crow Agency, Big Horn County, Montana (district 17–H), $158,000 (Public, Numbered 126): *Provided*, That plans and specifications for construction, enlargement, or improvement of structures shall be furnished by local or State authorities, without cost to the United States, and upon approval thereof by the Commissioner of Indian Affairs actual work shall proceed under the direction of such local or State officials. Payment for work in place shall be made monthly, on vouchers properly certified by local officials of the Indian Service: *Provided further*, That any amount expended on any project hereunder shall be recouped by the United States within a period of thirty years, commencing with the date of occupancy of the project, through reducing the annual Federal tuition payments for the education of Indian pupils enrolled in public or high schools of the district involved, or by the acceptance of Indian pupils in such schools without cost to the United States; and in computing the amount of recoupment for each project interest at 3 per centum per annum shall be included on unrecouped balances.

Ante, 430.

Proviso.
Plans, etc.

Monthly payments.
United States to recoup expenditures.

* * * * * * *

SEC. 2. In all suits now pending in the Court of Claims by an Indian tribe or band which have not been tried or submitted, and in any suit hereafter filed in the Court of Claims by any such tribe or band, the Court of Claims is hereby directed to consider and to offset against any amount found due the said tribe or band all sums expended gratuitously by the United States for the benefit of the said tribe or band; and in all cases now pending or hereafter filed in the Court of Claims in which an Indian tribe or band is party plaintiff, wherein the duty of the court is merely to report its findings of fact and conclusions to Congress, the said Court of Claims is hereby directed to include in its report a statement of the amount of money which has been expended by the United States gratuitously for the benefit of the said tribe or band: *Provided*, That expenditures made prior to the date of the law, treaty, agreement, or Executive order under which the claims arise shall not be offset against the claims or claim asserted; and expenditures under the Act of June 18, 1934 (48 Stat. L. 984), except expenditures under appropriations made pursuant to section 5 of such Act, shall not be charged as offsets against any claim on behalf of an Indian tribe or tribes now pending in the Court of Claims or hereafter filed: *Provided further*, That funds appropriated and expended from tribal funds shall not be construed as gratuities; and this section shall not be deemed to amend or affect the various Acts granting jurisdiction to the Court of Claims to hear and determine the claims listed on page 678 of the hearings before the subcommittee of the House Committee on Appropriations on the second deficiency appropriation bill for the fiscal year 1935: *And provided further*, That no expenditure under any emergency appropriation or allotment made subsequently to March 4, 1933, and generally applicable throughout the United States for relief in stricken agricultural areas, relief from distress caused by unemployment and conditions resulting therefrom, the prosecution of public works and

Pending Indian suits in Court of Claims.

Offset against amounts due, for gratuities, etc.

Amount of Federal expense to be expressed in Court findings.

Provisos.
Pending claims not affected.

48 Stat., 984; ante, 378.
Exceptions.

Tribal expenditures not gratuities.

Designated activities, etc., excluded.

public projects for the relief of unemployment or to increase employment, and for work relief (including the civil-works program) shall be considered in connection with the operation of this section.

* * * * * * *

Judgments, Court of Claims.

JUDGMENTS, COURT OF CLAIMS

Payment of.

SEC. 3. (a) For payment of the judgments rendered by the Court of Claims and reported to the Seventy-fourth Congress in Senate Document Numbered 83 and House Document Numbered 199, under the following departments and establishments, namely:

Department of the Interior (Indians), $622,465.57;

* * * * * * *

Audited claims.

AUDITED CLAIMS

Payment of.

SEC. 4. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1932 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in House Document Numbered 210, Seventy-fourth Congress, there is appropriated as follows:

18 Stat., 110.
U. S. C., p. 1022.

* * * * * * *

Department of Interior.

Department of the Interior:

* * * * * * *

For support and civilization of Indians, $14.50.

For education of natives of Alaska, $4.90.

For conservation of health among Indians, $5.

For support of Indians and administration of Indian property, $3.49.

* * * * * * *

Payment of.

(b) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1932 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in Senate Document Numbered 85, Seventy-fourth Congress, there is appropriated as follows:

18 Stat., 110.
U. S. C., p. 1022.

* * * * * * *

Department of the Interior.

Department of the Interior:

* * * * * * *

For administration of Indian forests, $79.80.

* * * * * * *

Approved, August 12, 1935.

August 13, 1935.
[S. 2193.]
49 Stat., 612.

CHAP. 517.—An Act To provide for the construction, extension, and improvement of public-school buildings in Duchesne County, Utah

Duchesne County, Utah; public school buildings.
Appropriation for.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $50,000 to be used by the Secretary

of the Interior in making payments to the Duchesne County school district in accordance with the provisions of section 2.

Requirements.

SEC. 2. The Duchesne County school district shall submit to the Secretary of the Interior for his approval (1) plans for extensions and improvements of existing public-school buildings within such county, and for the construction of such other school buildings as such district may consider necessary, and (2) estimates as to the cost of carrying out such plans. The Secretary of the Interior is authorized to approve such plans and cost estimates in whole or in part, or to require modifications or revisions thereof. Upon approval by the Secretary of any such plans and cost estimates, and upon agreement by such school district that the public schools maintained by it shall be open to Indian children who reside in such district, the Secretary shall pay to such district, but not in excess of the appropriation made in section 1, an amount equal to the approved cost estimate of carrying out such approved plan. Such amount shall be expended by such district for the purpose of carrying out such approved plan and for no other purpose.

Plans for extensions.

Estmates of cost.

Approval of plans.

Payment; conditions.

Expenditure.

SEC. 3. No payments shall be made to the Duchesne County school district under the provisions of this Act, unless such district maintains books, records, accounts, and memoranda and permits the examination of and produces such books, records, accounts, and memoranda, in accordance with such reasonable regulations as the Secretary of the Interior may prescribe.

Restriction on payment.

Approved, August 13, 1935.

CHAP. 518.—An Act To provide funds of acquisition of the property of the Haskell Students Activities Association on behalf of the Indian School known as "Haskell Institute", Lawrence, Kansas

August 13, 1935.
[S. 2545.]
49 Stat., 612.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $30,500 to be expended under the direction of the Secretary of the Interior for the purpose of meeting indebtedness of the Haskell Students Activities Association, and acquiring title to the property of this association for use of the Government Indian school known as "Haskell Institute", located at Lawrence, Kansas: *Provided*, That funds hereby authorized for this purpose may be used to pay off any outstanding mortgages, liens, judgments, or other valid indebtedness against the above-mentioned association: *And provided further*, That upon payment of all outstanding obligations against the Haskell Students Activities Association, not to exceed in all $30,500, the title to all property belonging to the said association shall be transferred to the United States, and upon such transfer such property shall become a part of the Government Indian School known as "Haskell Institute", Lawrence, Kansas.

Haskell Institute, Lawrence, Kansas.
Appropriation authorized for.

Provisos.
Use of funds.

Transfer of title.

Approved, August 13, 1935.

CHAP. 551.—An Act Authorizing a capital fund for the Chippewa Indian Cooperative Marketing Association

August 15, 1935.
[H. R. 6228.]
49 Stat., 654.

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 hereby authorized to withdraw from the Treasury of the United States the sum of $100,000, or so much thereof as may be necessary, of the funds on deposit to the credit of the Chippewa

Chippewa Indian Marketing Association.
Loan to, authorized.

Purposes.

Indians in Minnesota, and to loan such sum to the Chippewa Indian Cooperative Marketing Association. The amount so loaned to said association shall be available for all purposes, including compensation and reasonable expenses of attorneys, purchase of land and erection of suitable buildings, necessary to the businesslike operation of a cooperative marketing system to be conducted in accordance with articles of incorporation and bylaws approved by the Secretary of the Interior.

Interest rate.

All funds loaned the association under this authorization shall bear interest at 4 per centum per annum and shall be repaid to the Chippewa tribal fund within a period of ten years from date of such loans.

Use of revolving fund not debarred.
48 Stat., 986, ante, 379.

SEC. 2. The use of funds hereby authorized shall not disbar the association from receiving loans from any amounts appropriated pursuant to section 10 of the Act of June 18, 1934 (48 Stat. 986), authorizing the creation of an Indian credit revolving fund.

Regulations.

SEC. 3. The Secretary of the Interior shall formulate rules and regulations for carrying out the purposes of this Act.

Approved, August 15, 1935.

August 15, 1935.
[S. J. Res. 96.]
49 Stat., 655.

CHAP. 553.—Joint Resolution To carry out the intention of Congress with reference to the claims of the Crow Tribe of Indians of Montana and any band thereof against the United States[1]

Crow Indians, Mont.
Claims of.
44 Stat., 807, vol. 4, 900.

Whereas by the Special Jurisdictional Act approved July 3, 1926 (44 Stat. L. 807), the claims of the Crow Tribe of Indians of Montana and any band thereof against the United States were referred to the Court of Claims "with right of appeal to the Supreme Court of the United States," it being the intention that both parties should have a right of appeal to the Supreme Court; and

Whereas the Supreme Court has since decided that notwithstanding such a provision there is no right of appeal, in view of the Judicial Code, as amended, unless the Jurisdictional Act specifically provides that the Supreme Court shall review a cause on appeal, anything in the Judicial Code to the contrary notwithstanding: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the claims of the Crow Tribe of Indians and any band thereof under the said Jurisdictional Act approved July 3, 1926, shall be reviewed on the whole record by the Supreme Court of the United States on appeal from the Court of Claims, anything in the Judicial Code or amendments thereto notwithstanding: *Provided*, That said appeal shall be perfected by either party to the controversy within one year from the passage of this Act.

Review by Supreme Court on appeal.
36 Stat., 1087, vol. 8, 506.
U. S. C., p. 863; Supp. VII, p. 715.
Proviso.
Limitation.

Approved, August 15, 1935.

August 26, 1935.
[S. 2608.]
49 Stat., 800.

CHAP. 683.—An Act To authorize an appropriation to pay non-Indian claimants whose claims have been extinguished under the Act of June 7, 1924, but who have been found entitled to awards under said Act as supplemented by the Act of May 31, 1933

Indian pueblos in New Mexico.
Payments to non-Indian claimants for certain extinguished claims.
43 Stat., 636, vol. 4, 454.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sum to compensate white settlers or non-Indian claimants whose claims have been extinguished under the Act of June 7, 1924 (43 Stat. L. 636), but who have been found by the Secretary of the Interior, in conformity with the proviso to

[1] 81 Ct. Cls., 238.

section 3 of the Act of May 31, 1933 (48 Stat. L. 108, 109), to be entitled to increased compensation by reason of errors in the amount of award previously allowed, or entitled to original awards by reason of errors in the omission of legitimate claimants. The non-Indian claimants, or their successors, as found and reported by the Secretary of the Interior, to be compensated out of said appropriation to be disbursed under the direction of the Secretary of the Interior in the amounts found to be due them, as follows:

48 Stat., 109; ante, 337.

Amounts found due.

Within the pueblo of Isleta, $1,876.72; within the pueblo of San Ildefonso, $9,371.52; within the pueblo of San Juan, $23,122.83; within the pueblo of Santa Clara, $2,810.69; within the pueblo of Pojoaque, $2,474.13; within the pueblo of Nambe, $1,985; within the pueblo of Sandia, $368.90; within the pueblo of Picuris, $278.64; within the pueblo of Cochiti, $1,088.90; within the pueblo of Jemez, $2,000; in all, $45,377.33.

Approved, August 26, 1935.

CHAP. 686.—An Act Conferring jurisdiction upon the Court of Claims to hear and determine claims of certain bands or tribes of Indians residing in the State of Oregon[1]

August 26, 1935.
[S. 2761.]
49 Stat., 801.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred on the Court of Claims, with the right of appeal to the Supreme Court of the United States by either party, as in other cases, to hear, examine, adjudicate, and render final judgment (a) in any and all legal and equitable claims, arising under or growing out of any treaty, agreement, Act of Congress, or Executive order, or for the failure of the United States to pay any money or other property due, which those Indian tribes or bands, or portions thereof, and their descendants, described in the ratified treaties of September 10, 1853 (10 Stat. 1018), September 19, 1853 (10 Stat. 1027), November 18, 1854 (10 Stat. 1122), November 25, 1854 (10 Stat. 1125), January 22, 1855 (10 Stat. 1143), and December 21, 1855 (12 Stat. 981), may have against the United States; and (b) any and all legal and equitable claims arising under or growing out of the original Indian title, claim, or rights in, to, or upon the whole or any part of the lands and their appurtenances occupied by the Indian tribes and bands described in the unratified treaties published in Senate Executive Document Numbered 25, Fifty-third Congress, first session (pp. 8 to 15), at and long prior to the dates thereof, except the Coos Bay, Lower Umpqua, and Siuslaw Tribes, it being the intention of this Act to include all the Indian tribes or bands and their descendants, with the exceptions named, residing in the then Territory of Oregon west of the Cascade Range at and long prior to the dates of the said unratified treaties, some of whom, in 1855, or later, were removed by the military authorities of the United States to the Coast Range, the Grande Ronde, and the Siletz Reservations in said Territory.

Siletz, etc., Indians in Oregon.
Claims of, against United States submitted to Court of Claims.
Right of appeal.

10 Stat., 1018, 1027, 1122, 1125, 1143, vol. 2, 603, 606, 655, 657, 665; 12 Stat., 981, vol. 2, 740.

Rights referred to, in unratified treaties.

Tribes excepted.
45 Stat., 1256, ante, 82.
Scope of Act defined.

SEC. 2. That if any claim or claims be submitted to said courts hereunder they shall settle the rights therein, both legal and equitable, of each and all the parties thereto, notwithstanding the lapse of time or the statutes of limitation; and any payment which may have been made under any claim or agreement shall not operate as an estoppel but may be pleaded as a set-off, and the United States shall be allowed to plead, and shall receive credit for all sums, including gratuities, paid to or

Jurisdiction of court, regardless of lapse of time, etc.

Set-off permitted.

[1] 87 Ct. Cls., 143; 306 U. S. 653; Ct .Cls. Docket No. 4520, 4521.

48 Stat., 984; ante, 378.

expended for the benefit of the respective tribes or bands of Indians, but no expenditures for the benefit of these Indians made out of appropriations authorized by the Act of June 18, 1934 (48 Stat. L. 984), shall be considered as offsets. The claim or claims of each tribe or band may be presented separately or jointly by petition, subject, however, to amendment and consolidation in proper cases. Such action or actions shall make the petitioner or petitioners party plaintiff or plaintiffs and the United States party defendant; and any nation, tribe, or band the court may deem necessary to a final determination of such suit or suits may be joined therein by order of the court.

Joint or separate petitions.

Evidence.

The petition shall set forth all the facts upon which the claims are based and shall be signed and verified by the attorney or attorneys employed to prosecute such claim or claims and who are under contract with said Indians approved in accordance with existing law. Any and all claims against the United States within the purview of this Act shall be forever barred unless suit be instituted or petition filed as herein provided in the Court of Claims within five years from the date of the approval of this Act.

Official letters, papers, documents, and public records, or certified copies thereof, may be used in evidence, and the departments of the Government shall allow the attorney or attorneys access to such treaties, papers, correspondence, or records as may be needed by said attorney or attorneys.

Attorney's fee by court decree.

SEC. 3. That upon the final determination of such suit, or suits, the Court of Claims shall decree such fees not exceeding 10 per centum of the amounts recovered as it shall find reasonable to be paid the attorney or attorneys employed therein by said Indians or bands of Indians, under contracts negotiated and approved as provided by existing law, together with all necessary and proper expenditures incurred in the preparation and prosecution of the suit or suits.

Deposit of judgment to credit of Indians, with interest.

SEC. 4. The proceeds of all amounts, if any, recovered for said Indians, less attorneys' fees and expenses, shall be deposited in the Treasury of the United States to the credit of the Indians decreed by said court to be entitled thereto, and shall draw interest at the rate of 4 per centum per annum from the date of the original judgment or decree and thereafter shall be subject to appropriation by Congress.

Approved, August 26, 1935.

August 27, 1935. [S. 1832.]

49 Stat., 887.

CHAP. 745.—An Act To authorize the Secretary of the Interior to provide by agreement with Middle Rio Grande Conservancy District, a subdivision of the State of New Mexico, for maintenance and operation on newly reclaimed Pueblo Indian lands in the Rio Grande Valley, New Mexico, reclaimed under previous Act of Congress, and authorizing an annual appropriation to pay the cost thereof for a period of not to exceed five years

Middle Rio Grande Conservancy District. Agreement with, for maintenance on newly reclaimed Pueblo Indian lands, N. Mex., authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to enter into an agreement with Middle Rio Grande Conservancy District, a political subdivision of the State of New Mexico, to provide for operation and maintenance on newly reclaimed Pueblo Indian lands, not exceeding twelve thousand six hundred acres thereof now owned by said Indians, in the Rio Grande Valley, New Mexico, provided said lands have been benefited by improvements constructed under the Act of Congress dated March 13, 1928 (45 Stat. L., 312–313) and as therein provided, and as provided for by the provisions of the contract executed by and with the Secretary of the Interior and the said district; and there is hereby authorized to be appropriated annually for a period of not to exceed five years, such amount as

45 Stat., 312; ante, 34.

Appropriations authorized.

may be necessary to enable the Secretary of the Interior to pay the cost to Middle Rio Grande Conservancy District of such operation and maintenance on said newly reclaimed Pueblo Indian lands as may be irrigable during any particular year, provided the per acre cost assessable against the acreage of newly reclaimed Indian lands shall not exceed the per acre cost of operating and maintaining the district works for the irrigation of the total irrigable area within the district, including the now irrigated and newly reclaimed Indian lands: *Provided*, That any sums appropriated pursuant hereto shall be reimbursable to the United States: *Provided further*, That the district shall be required by the agreement herein authorized to be executed, to deliver water without discrimination on that part of the newly reclaimed Pueblo lands on which the per acre charge or assessment has been paid: *And provided further*, That the provisions of the contract heretofore executed pursuant to the Act of March 13, 1928, requiring the district to recognize the prior and paramount water rights for the approximately eight thousand three hundred and forty-six acres of now irrigated Indian lands and of their exemption from payment of any operation and maintenance or betterment cost, shall be carried into and made a part of the agreement to be executed pursuant hereto.

Assessment of costs.

Provisos.
Repayment.
Equitable distribution requirements.

Recognition of prior water rights of irrigated lands.

Approved, August 27, 1935.

CHAP. 748.—An Act To promote the development of Indian arts and crafts and to create a board to assist therein, and for other purposes

August 27, 1935.
[S. 2203.]
49 Stat., 891.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a board is hereby created in the Department of the Interior to be known as "Indian Arts and Crafts Board", and hereinafter referred to as the Board. The Board shall be composed of five commissioners, who shall be appointed by the Secretary of the Interior as soon as possible after the passage of this Act and shall continue in office, two for a term of two years, one for a term of three years, and two for a term of four years from the date of their appointment, the term of each to be designated by the Secretary of the Interior, but their successors shall be appointed for a term of four years except that any person chosen to fill a vacancy shall be appointed for the unexpired term of the commissioner whom he succeeds. Both public officers and private citizens shall be eligible for membership on the Board. The Board shall elect one of the commissioners as chairman. One or two vacancies on the Board shall not impair the right of the remaining commissioners to exercise all the powers of the Board.

Development of Indian arts and crafts.
"Indian Arts and Crafts Board" created.

Membership, terms of office, etc.

The commissioners shall serve without compensation: *Provided*, That each Commissioner shall be reimbursed for all actual expenses, including travel expenses, subsistence and office overhead, which the Board shall certify to have been incurred as properly incidental to the performance of his duties as a member of the Board.

Commissioners; compensation, expenses.

SEC. 2. It shall be the function and the duty of the Board to promote the economic welfare of the Indian tribes and the Indian wards of the Government through the development of Indian arts and crafts and the expansion of the market for the products of Indian art and craftsmanship. In the execution of this function the Board shall have the following powers: (a) To undertake market research to determine the best opportunity for the sale of various products; (b) to engage in technical research and give technical advice and assistance; (c) to engage in experimentation directly or

Functions and duty of Board.

Extending market for products.

Technical studies, etc.

through selected agencies; (d) to correlate and encourage the activities of the various governmental and private agencies in the field; (e) to offer assistance in the management of operating groups for the furtherance of specific projects; (f) to make recommendations to appropriate agencies for loans in furtherance of the production and sale of Indian products; (g) to create Government trade marks of genuineness and quality for Indian products and the products of particular Indian tribes or groups; to establish standards and regulations for the use of such trade marks; to license corporations, associations, or individuals to use them; and to charge a fee for their use; to register them in the United States Patent Office without charge; (h) to employ executive officers, including a general manager, and such other permanent and temporary personnel as may be found necessary, and prescribe the authorities, duties, responsibilities, and tenure and fix the compensation of such officers and other employees: *Provided*, That the Classification Act of 1923, as amended, shall be applicable to all permanent employees except executive officers, and that all employees other than executive officers shall be appointed in accordance with the civil-service laws from lists of eligibles to be supplied by the Civil Service Commission; (i) as a Government agency to negotiate and execute in its own name contracts with operating groups to supply management, personnel, and supervision at cost, and to negotiate and execute in its own name such other contracts and to carry on such other business as may be necessary for the accomplishment of the duties and purposes of the Board: *Provided*, That nothing in the foregoing enumeration of powers shall be construed to authorize the Board to borrow or lend money or to deal in Indian goods.

Trade marking.

Establishing standards.
Licenses for use of.

Personal services.

Proviso.
Appointments in accordance with Classification and Civil Service Acts.
42 Stat., 1488; U. S. C., p. 65; Supp. VII, p. 34.
Business contracts.

Proviso.
Unauthorized acts.

SEC. 3. The Board shall prescribe from time to time rules and regulations governing the conduct of its business and containing such provisions as it may deem appropriate for the effective execution and administration of the powers conferred upon it by this Act: *Provided*, That before prescribing any procedure for the disbursement of money the Board shall advise and consult with the General Accounting Office: *Provided further*, That all rules and regulations proposed by the Board shall be submitted to the Secretary of the Interior and shall become effective upon his approval.

Rules prescribed.

Provisos.
Regulating disbursements.
Approval of Secretary of the Interior.

SEC. 4. There is hereby authorized to be appropriated out of any sums in the Treasury not otherwise appropriated such sums as may be necessary to defray the expenses of the Board and carry out the purposes and provisions of this Act. All income derived by the Board from any source shall be covered into the Treasury of the United States and shall constitute a special fund which is hereby appropriated and made available until expended for carrying out the purposes and provisions of this Act. Out of the funds available to it at any time the Board may authorize such expenditures, consistent with the provisions of this Act, as it may determine to be necessary for the accomplishment of the purposes and objectives of this Act.

Appropriation for expenses.

Receipts to constitute special fund; expenditures therefrom.

SEC. 5. Any person who shall counterfeit or colorably imitate any Government trade mark used or devised by the Board as provided in section 2 of this Act, or shall, except as authorized by the Board, affix any such Government trade mark, or shall knowingly, willfully, and corruptly affix any reproduction, counterfeit, copy, or colorable imitation thereof upon any products, Indian or otherwise, or to any labels, signs, prints, packages, wrappers, or receptacles intended to be used upon or in connection with the sale of such products, or any person who shall knowingly make any false statement for the purpose of ob-

Counterfeiting, etc.

False statements.

taining the use of any such Government trade mark, shall be guilty of a misdemeanor, and upon conviction thereof shall be enjoined from further carrying on the act or acts complained of and shall be subject to a fine not exceeding $2,000, or imprisonment not exceeding six months, or both such fine and imprisonment.

Punishment for.

SEC. 6. Any person who shall willfully offer or display for sale any goods, with or without any Government trade mark, as Indian products or Indian products of a particular Indian tribe or group, resident within the United States or the Territory of Alaska, when such person knows such goods are not Indian products or are not Indian products of the particular Indian tribe or group, shall be guilty of a misdemeanor and be subject to a fine not exceeding $2,000 or imprisonment not exceeding six months, or both such fine and imprisonment.

Fraudulent practices, etc.

Punishment for.

It shall be the duty of each district attorney, to whom the Board shall report in writing any violation of the provisions of this section which has occurred within his jurisdiction, to cause appropriate proceedings to be commenced and prosecuted in the proper courts of the United States for the enforcement of the penalties herein provided.

Enforcement provisions.

Approved, August 27, 1935.

CHAP. 750.—An Act Authorizing distribution of funds to the credit of the Wyandotte Indians, Oklahoma

August 27, 1935.
[S. 2578.]
49 Stat., 894.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to withdraw from the Treasury all funds remaining to the credit of the Wyandotte Indians, Oklahoma, including the sum of $10,000 appropriated by the Interior Department Appropriation Act, fiscal year 1936, to compensate the Wyandotte Indians for Seneca School lands, as authorized by the act of June 21, 1934 (48 Stat. 1184), and to distribute the same per capita to members of the tribe entitled thereto: *Provided*, That, prior to the distribution herein authorized, there shall be paid therefrom to Allen C. Johnson or his heirs not to exceed the sum of $500 for services rendered and expenses incurred on behalf of said tribe.

Wyandotte Indians, Okla.
Per capita distribution of funds authorized.

48 Stat., 1184; ante, 387.

Proviso.
Allen C. Johnson, services.

Approved, August 27, 1935.

CHAP. 827.—An Act To provide funds for cooperation with Cannon Ball School District, Sioux County, North Dakota, for extension of public-school buildings to be available for Indian children

August 30, 1935.
[H. R. 8511.]
48 Stat., 200.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be expended from any moneys now available and applicable, or that may become applicable hereafter available, for construction under provisions of the National Industrial Recovery Act approved June 16, 1933, the sum of $30,000 for the purpose of cooperating with Cannon Ball School District, Sioux County, North Dakota, for extension and improvements of school buildings: *Provided*, That the expenditure of any moneys so appropriated shall be subject to the condition that the schools maintained by said district shall be available to all the Indian children of the district on the same terms, except as to payment of tuitions, as other children of said school district, subject to such further conditions as may be prescribed by the Secretary of the Interior.

Sioux County, N. Dak.
Cooperation with Cannon Ball District, for school building extension.
48 Stat., 200.

Proviso.
Available for Indian children.

Approved, August 30, 1935.

August 30, 1935.
[H. R. 8512.]
49 Stat., 1014.

CHAP. 828.—An Act To provide funds for cooperation with Fort Yates School District, Sioux County, North Dakota, for extension of public-school buildings to be available for Indian children

Sioux County, N. Dak.
Cooperation with Fort Yates District, for school building construction.
48 Stat., 200.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be expended from any moneys now available and applicable, or that may become applicable hereafter available, for construction under provisions of the National Industrial Recovery Act, approved June 16, 1933, the sum of $97,000 for the purpose of cooperating with Fort Yates School District, Sioux County, North Dakota, for extension and improvements of school buildings: *Provided*, That the expenditure of any moneys so appropriated shall be subject to the condition that the schools maintained by said district shall be available to all the Indian children of the district on the same terms, except as to payment of tuitions, as other children of said school district, subject to such further conditions as may be prescribed by the Secretary of the Interior.

Proviso.
Available for Indian children.

Approved, August 30, 1935.

August 30, 1935.
[H. R. 6869.]
49 Stat., 1049.

CHAP. 832.—An Act Authorizing the Chippewa Indians of Wisconsin to submit claims to the Court of Claims[1]

Chippewa Indians of Wisconsin.
Claims of, may be submitted to Court of Claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all claims of whatsoever nature which the Chippewa Tribe or Bands of Indians of Wisconsin may have against the United States, which have not heretofore been determined by the Court of Claims or the Supreme Court of the United States, may be submitted to the Court of Claims with the right of appeal to the Supreme Court of the United States by either party, anything in the Judicial Code of the United States or amendments thereto to the contrary notwithstanding, for determination of the amount, if any, due said Indians from the United States under any treaties, agreements, or laws of Congress, or for the misappropriation or waste of any of the funds or lands of said Indians or band or bands thereof, or for the failure of the United States to pay said Indians any money or other property due; and jurisdiction is hereby conferred upon the Court of Claims, with the said right of either party to appeal, to hear and determine all legal and equitable claims, if any, of said Indians against the United States, and to enter judgment thereon.

Right of appeal.
U. S. C., p. 903; Supp. VII, p. 733.

Rights, both legal and equitable, to be settled.

SEC. 2. If any claim or claims be submitted to said courts they shall settle the rights therein, both legal and equitable, of each and all of the parties thereto, notwithstanding lapse of time or statutes of limitations, and any payment which may have been made upon any claim so submitted shall not be pleaded as an estoppel, but may be pleaded as an offset in such suits or actions, and the United States shall be allowed credit for all sums heretofore paid or expended for the benefit of said Indians or any band thereof, including gratuities, and that laches shall not be pleaded as a defense thereto. The claim or claims of the Chippewa Indians of Wisconsin or band or bands thereof may be presented separately or jointly by petition, subject however, to amendment, suit to be filed within five years after the passage of this Act; and such action shall make the petitioner or petitioners party plaintiff or plaintiffs and the United States party defendant, and any band or bands of said Indians or any other Indians or band of

Offsets allowed.

Suits may be joined or presented separately.

[1] 88 Ct. Cls. 1; 296 U. S., 576; Ct. Cls. Docket No. 45162.

Indians the court may deem necessary to a final determination of such suit or suits may be joined therein as the court may order. Such petition, which shall be signed by the attorney or attorneys employed by said Indians or any bands thereof, or by the State of Wisconsin in their behalf, shall set forth all the facts on which the claims for recovery are based and said petition shall be signed by the attorney or attorneys so employed, and no other verification shall be necessary. Official letters, papers, documents, and public records, or certified copies thereof, may be used in evidence, and the departments of the Government shall give to the attorney or attorneys of said Indians or bands thereof access to such treaties, papers, correspondence, or records as may be needed by the attorney or attorneys for said tribe or bands of Indians.

Evidence.
Access to official records.

SEC. 3. Upon final determination of such suit, cause, or action, the Court of Claims shall decree such fees and necessary expenses as it shall find reasonable and proper to be paid the attorney or attorneys employed therein by said tribe or bands of Indians under contracts negotiated and approved as provided by existing law, and in no case shall the fee decreed by said Court of Claims be in excess of the amounts stipulated in the contracts approved by the Commissioner of Indian Affairs and the Secretary of the Interior, and no attorney shall have a right to represent the said Indians or any band thereof in any suit, cause, or action under the provisions of this Act until said contract shall have been so approved: *Provided*, That any attorney appearing for said Indians under any law of the State of Wisconsin authorizing him to prosecute such claims against the Federal Government shall not be required to file a contract of employment, and no compensation shall be allowed such attorney where he is so compensated by the State. The State shall be allowed out of any judgment recovered such necessary and proper expenses as the court may find to have been incurred by the attorney so employed. The fees decreed by the court to the attorney or attorneys of record, except such as shall be employed by the State, shall be paid out of any sum or sums recovered in such suits or actions, and no part of such fees shall be taken from any money in the Treasury of the United States belonging to such tribe or bands of Indians in whose behalf the suit is brought: *Provided further*, That in no case shall the fees decreed by said court amount to more than 5 per centum of the amount of the judgment recovered in such cause, to be paid only to contract attorneys, if employed. Should an attorney be employed by the State to assist in the prosecution of any suit filed hereunder the court shall determine the value of his services on a quantum meruit basis and such amount shall be withheld from the said 10 per centum and become available to said Indians as a part of said judgment.

Attorneys' fees, etc., by court decree.

Contract requirement.

Provisos.
State attorneys.

No pay allowed when compensated by State.

Maximum allowance.

SEC. 4. The net amount of any judgment recovered shall be placed in the Treasury of the United States to the credit of said Indians, and shall draw interest at the rate of 4 per centum per annum and shall be thereafter subject to appropriation by Congress for educational, health, industrial, and other purposes for the benefit of said Indians, including the purchase of lands and building of homes, and no part of said judgment shall be paid out in per capita payments to said Indians: *Provided*, That in making an award under this Act all gratuities paid said Indian tribe by the United States Government shall be offset against any judgment or award made to them.

Award to be placed to credit of Indians, at interest.

Use of.

Proviso.
Gratuities to Indians to be offsets.

Approved, August 30, 1935.

September 3, 1935.
[S. 3210.]
49 Stat., 1085.

CHAP. 839.—An Act To refer the claim of the Menominee Tribe of Indians to the Court of Claims with the absolute right of appeal to the Supreme Court of the United States [1]

Menominee Tribe of Indians.
Jurisdiction to hear claims of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred on the Court of Claims to hear, determine, adjudicate, and render final judgment on all legal or equitable claims of whatsoever nature which the Menominee Tribe of Indians may have against the United States, arising under or growing out of any treaties, agreements, or laws of Congress, or out of any maladministration or wrongful handling of any of the funds, land, timber, or other property or business enterprises belonging to said tribe or held in trust for it by the United States, or otherwise; including, but without limiting the generality of the foregoing, (1) a claim for damages for swamp lands which the United States allegedly purported to convey to the Menominee Tribe of Indians by a treaty ratified May 12, 1854 (10 Stat. L. 1064), but which the United States allegedly did not convey because of already having conveyed the same to the State of Wisconsin (9 Stat. L. 519); (2) claims for damages resulting from the improper or unlawful expenditures of tribal trust funds, including trust funds created by the Act of April 1, 1880, entitled "An Act to authorize the Secretary of the Interior to deposit certain funds in the United States Treasury in lieu of investment" (21 Stat. L. 70), and the Act of March 22, 1882, entitled "An Act authorizing the sale of certain logs cut by the Indians of the Menominee Reservation in Wisconsin" (22 Stat. L. 30), and the Act of June 12, 1890, entitled "An Act to authorize the sale of timber on certain lands reserved for the use of the Menominee Tribe of Indians, in the State of Wisconsin" (26 Stat. L. 146), and the Act of March 28, 1908, entitled "An Act to authorize the cutting of timber, the manufacture and sale of timber, and the preservation of the forests on the Menominee Indian Reservation in the State of Wisconsin" (35 Stat. L. 51), and the Act of February 12, 1929, entitled "An Act to authorize the payment of interest on certain funds held in trust by the United States and Indian Tribes" (45 Stat. L. 1164); (3) claims for damages allegedly caused by the United States cutting timber on the Menominee Reservation contrary to the terms and provisions of the aforesaid Act of March 28, 1908 (35 Stat. L. 51); (4) claims for damages allegedly caused by maladministration on the part of the United States as respects its management of the timber and lumber industries of the Menominee Indian Tribe, in particular, its management of the Menominee Indian mills.

10 Stat., 1064, vol. 2, 626.
9 Stat., 519.
21 Stat., 70, vol. 1, 28.
22 Stat., 30, vol. 1, 194.
26 Stat., 146, vol. 1, 353.
35 Stat., 51, vol. 3, 317.
45 Stat., 1164; ante, 77.
35 Stat., 51, vol. 3, 317.

Petition to be filed.

SEC. 2. The Menominee Tribe of Indians is hereby empowered to bring such suit, as party plaintiff, against the United States, as party defendant, by filing its petition in the Court of Claims and serving a copy thereof on the Attorney General of the United States. Such petition shall set forth the facts on which the claim for recovery is based and shall be verified by the attorney or attorneys employed by said Menominee Tribe of Indians in accordance with existing law to prosecute such claims which may be made upon information and belief and no other verification shall be necessary. Suit shall be instituted within two years from the date of this Act by the filing of a petition in the Court of Claims in behalf of the Menominee Tribe of Indians.

Limitation of action.

Principles of law applicable.

SEC. 3. At the trial of said suit the court shall apply as respects the United States the same principles of law as would be applied to an ordinary fiduciary and shall settle and determine the rights thereon both legal and equitable of said Menominee Tribe against the United

[1] Ct. Cls. Docket No. 43646; No. 44294 to 44306.

States notwithstanding lapse of time or statute of limitations. No payment or payments which have been made by the United States upon any claim or claims therein asserted or for the account of said Menominee Tribe of Indians nor any gratuities paid to or expended for said tribe or members thereof shall apply as an estoppel against said suit but may be pleaded as offsets. No gratuities, however, paid to or expended for said tribe or members thereof prior to the Act of Congress of March 28, 1908 (35 Stat. L. 51), or paid pursuant to any emergency relief legislation enacted subsequent to January 1, 1933, or out of any appropriations authorized by the Act of June 18, 1934 (48 Stat. L. 984), shall be pleaded by the United States as offsets.

Payments heretofore made.

SEC. 4. At the trial of such action so instituted in the Court of Claims, any letter, paper, document, map, or record in the possession of any officer or department of the United States (or a certified copy thereof) may be used in evidence, and the departments of the Government of the United States shall give full and free access to the attorneys for said tribe of Indians to such letters, papers, documents, or records as may be useful to said attorney or attorneys in the preparation for trial or trials of such action and shall afford facilities for the examination of the same and the making of copies thereof.

Evidence admitted.

SEC. 5. Either party shall have the absolute right of appeal (not by writ of certiorari) from any final judgment entered by the Court of Claims to the Supreme Court of the United States and the Supreme Court of the United States is hereby invested with jurisdiction of such appeals.

Appeals to Supreme Court of United States.

SEC. 6. (a) If it shall be determined by the court that the United States in violation of the terms and provisions of the treaty ratified May 12, 1854 (10 Stat. L. 1064), unlawfully failed to convey certain swamp lands to the Menominee Tribe of Indians the court shall render judgment in favor of the Menominee Tribe of Indians for a sum equal to (1) the value of the timber removed therefrom since May 12, 1854, with interest at 4 per centum per annum from the time of such removal and (2) the present acquisition costs of such lands to the Menominee Tribe of Indians, which shall be determined by the court, with a proviso that the United States may in lieu of paying the present acquisition costs of such lands acquire and hold said lands in trust for the sole benefit and use of the Menominee Tribe of Indians.

Payments to Indians if determined that United States unlawfully failed to convey certain swamp lands.

(b) If it shall be determined by the court that the United States has improperly or unlawfully expended or misappropriated tribal funds or properties of said tribe of Indians the court shall render judgment against the United States for an amount equal to the value of all such funds and property with interest thereon at the same rate per annum as provided by the Act of Congress authorizing the creation of the fund or property improperly or unlawfully expended or misappropriated from the date of the unlawful expenditures or misappropriations.

Judgment if determined that United States unlawfully expended tribal funds, etc.

(c) If it shall be determined by the court that the United States has violated the terms and provisions of the Act of Congress of March 28, 1908 (35 Stat. L. 51), by cutting other than dead and down timber or such fully matured and ripened timber as the Forestry Service shall have properly designated, or by cutting such timber so as to prevent forest perpetuation, the court shall award as damages to the Menominee Tribe of Indians either (1) the difference between the net income that has been and will be received from the liquidation of the timber unlawfully cut and the net income which would have been and would be received from an acreage which would have produced, under selective cutting, if then cut, the same volume of timber as that unlawfully cut, from the time of the commencement of the

Unlawfully cut timber.

unlawful cutting up to the time when the timber unlawfully cut shall have been replaced by replanting and the sustained yield from the said replanted timber shall be equal, acre for acre, to the sustained yield from the timber had it been selectively cut so as to perpetuate the forest, as required by law, with interest thereon at the rate of 4 per centum per annum for the same period, said period, wherever specified herein, to be deemed to be sixty years, unless otherwise determined at the trial, plus the cost of replacement of the timber on the same areas including the necessary protection until the replanted timber shall have attained the said sustained yield; or (2) the cost of replacement of timber on the respective areas thus unlawfully cut, including the necessary protection until the replanted timber shall have attained the aforesaid sustained yield plus interest at 4 per centum per annum for the same period of time on an amount equal to the reasonable value as of the date of the unlawful cutting of the timber on the areas thus cut, whichever is the greater.

Maladministration of timber and lumber industry.

(d) If it shall be determined by the court that there has been maladministration on the part of the United States as respects its management of the timber or lumber industry of the Menominee Indian Tribe, including, but without limitation, its disposal of timber and lumber products and its management of the Menominee Indian Mills, the court shall award to the Menominee Tribe of Indians as damages either (1) an amount equal to the net losses incurred during the year or years in which maladministration is found, with interest thereon at the rate of 4 per centum per annum from the respective dates of said losses, or, (2) interest at the rate of 4 per centum for the particular year or years in which maladministration is found on the capital investment of the Menominee Tribe of Indians in their standing timber, lumber, plant, buildings, equipment and all other assets used in, or about, or in any way connected, with the Menominee Indian Mills or the timber and lumber industry of the Menominee Indian Tribe, whichever is the greater. "Net losses" shall be determined by using customary and accepted principles of accounting. "Capital investment" in standing timber and lumber shall be determined by using the unit price for each species of lumber and timber as used by the United States in its accounting records at the Menominee Indian Mills at the beginning and end of each year in which maladministration is found and dividing the sum thereof by two. "Capital investment" in plant, buildings, equipment and all other assets shall be determined by using cost less depreciation at the beginning and end of each year in which maladministration is found and dividing the aggregate thereof by two. In determining "Cost less depreciation" the general ledger accounts maintained at the Menominee Indian Mills shall be accepted subject to such adjustments as may be found proper upon investigations using customary and accepted principles of accounting.

Fees upon final determination of suits.

SEC. 7. Upon the final determination of such suit, cause, or action, whether by judgment, compromise, or otherwise, the Court of Claims shall decree such fees as it shall find reasonable to be paid the attorney or attorneys employed therein by said Menominee Tribe of Indians under contracts negotiated and approved as provided by existing law: *Provided*, That in the event the claim for damages for swamp lands shall be compromised and settled by the Menominee Tribe of Indians and the United States without the assistance of the attorney or attorneys employed hereunder pursuant to a special resolution adopted by the Menominee Advisory Council authorizing the rendering of such assistance, no fees shall be paid or decreed with respect thereto: *Provided further*, That in the event the claim

Provisos.
If compromise effected without assistance of attorneys.

With assistance.

for damages for swamp lands shall be compromised and settled by the Menominee Tribe of Indians and the United States, prior or subsequent to the institution of suit hereunder but prior to the trial thereof, with the assistance of the attorney or attorneys employed hereunder pursuant to a special resolution adopted by the Menominee Advisory Council authorizing such attorney or attorneys to render such assistance, the Secretary of the Interior shall, for such assistance, award to said attorney or attorneys such fees, with respect thereto, as based upon a quantum meruit he shall deem reasonable. In no case shall the fee decreed by said Court of Claims and the Secretary of the Interior be in excess of the amount stipulated in the contracts approved by the Commissioner of Indian Affairs and the Secretary of the Interior. The fees decreed by the court to the attorney or attorneys shall be paid out of any sum or sums recovered in such suit or action or received by compromise and not otherwise. All actual and necessary expenses incurred by the attorney or attorneys so employed, including court costs, bills for printing required by law, or court rules, the cruising and examination of lands and timber, the auditing and tabulation of accounts, travel, and subsistence of said attorney or attorneys and his or their employees while engaged solely in the preparation or prosecution of said suit or suits, securing and taking evidence deemed material therein, the compensation of stenographers, and such clerical assistance as shall be reasonably employed solely upon work in connection therewith, fees or commissions of notaries public or commissioners, and any other expense reasonably necessary for the preparation for trial or prosecution of any such suit or suits shall be paid by the Secretary of the Interior, when approved by him, from time to time, as the same shall accrue out of the funds standing to the credit of said Menominee Tribe of Indians in the Treasury of the United States upon verified accounts submitted in such form as may be required by the Secretary of the Interior, and without regard to the outcome or success of said suit or action against the United States. The net amount of any judgment recovered shall be placed in the Treasury of the United States to the credit of the said Indians, and shall draw interest at the rate of 4 per centum per annum and shall be thereafter subject to appropriation by Congress for the benefit of said Indians, including the purchase of lands and building of homes, and no part of said judgment shall be paid out in per capita payments to said Indians.

Restriction on amount.

Expenses.

Deposit of net amount of judgment.

SEC. 8. A copy of the petition in any suit instituted under this Act shall be served upon the Attorney General of the United States and he, or some attorney from the Department of Justice to be designated by him, is hereby directed to appear and defend the interests of the United States.

Service of copy of petition.

Approved, September 3, 1935.

PRIVATE ACTS OF THE SEVENTY-FOURTH CONGRESS, FIRST SESSION, 1935

CHAP. 65.—An Act For the relief of Charles E. Dagenett

April 11, 1935.
[S. 1520.]
49 Stat., 2051.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the General Accounting Office is hereby authorized to credit the accounts of Charles E. Dagenett, supervisor of Indian employment and special disbursing officer (retired), in the sum of $125.56, representing funds expended by him in that sum for telephone tolls, lodging, traveling

Charles E. Dagenett.
Credit in accounts.

expenses, and so forth, for himself and others in connection with work under his supervison.

Approved, April 11, 1935.

April 11, 1935.
[S. 1694.]
49 Stat., 2052.

CHAP. 67.—An Act For the relief of C. B. Dickinson

C. B. Dickinson.
Credit in accounts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of C. B. Dickinson, former superintendent and special disbursing agent at the Pierre Indian School, Pierre, South Dakota, for payments aggregating $3,402.39, in making repairs to various buildings of the school plant.

Approved, April 11, 1935.

May 15, 1935.
[S. 1414.]
49 Stat., 2064.

CHAP. 126.—An Act For the relief of the rightful heir of Joseph Gayton

Joseph Gayton.
Payment to rightful heir of.

Be it enacted by the Senate and House of Represenutatives[1] *of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jean Marcella Mentz Gayton (now Wicks), the rightful heir of Joseph Gayton, deceased Sioux allottee numbered 1724 of the Standing Rock Agency in North Dakota, as determined by the Secretary of the Interior pursuant to existing law, the sum of not to exceed $4,400.25: *Provided*, That the Secretary of the Interior may deposit the said sum to the credit of the said heir and handle it in the same manner as other individual Indian moneys: *Provided further*, That not to exceed 5 per centum of this amount shall be paid to any attorney or attorneys, for services rendered in this case: *And provided further*, That should the person herein named be not living upon the date of the passage of this Act the said sum shall be credited to and become a part of her estate.

Provisos.
Credit of deposit.

Attorney's fees.

Credit to estate, if heir not alive.

Approved, May 15, 1935.

May 15, 1935.
[S. 1502.]
49 Stat., 2064.

CHAP. 127.—An Act For the relief of Charles L. Graves

Charles L. Graves.
Credit in accounts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, directed to allow credit in the accounts of Charles L. Graves, superintendent and special disbursing agent at Jicarilla Agency, New Mexico, for payments aggregating $51,277, made from tribal funds of the Jicarilla Indians to various persons in connection with the purchase of sheep for issue to various members of the tribe, to which payments exception was taken by the General Accounting Office for the reason as claimed that there was no authority of law therefor.

Approved, May 15, 1935.

June 14, 1935.
[S. 2146.]
49 Stat., 2078.

CHAP. 251.—An Act For the relief of certain Indians of the Flathead Reservation killed or injured en route to dedication ceremonies of the Going-to-the-Sun Highway, Glacier National Park

Flathead Indian Reservation.
Payments to certain members of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay,

[1] So in original.

out of any money in the Treasury not otherwise appropriated, the sums of $2,890 in full settlement of all claims of the following Indians of the Flathead Indian Reservation, Montana, against the United States, arising out of any and all injuries sustained while en route to the dedication ceremonies of the Going-to-the-Sun Highway in Glacier National Park in the amounts indicated: Sophie Conko, $600; Mary Calowahcan Smallsalmon, $190; Alexander Calowahcan, $250; Michael Smallsalmon, $250; Joseph Woodcock, $30; Martine Siwahsah, $20; Sophie C. Granjo, $20; Sophie Moiese, $600; Isabel Granjo, $30; Eneas Granjo, $50; Mary Kyser Stateah, $600; Eneas Michel Conko, $50; Pierre Pierre, $50; William Michel, $50; Andrew Manybear, $100: *Provided*, That if any of the beneficiaries under this Act are deceased, payment herein authorized shall be made to their heirs; and to pay the sum of $3,000 to the heirs of Louise Cullooyah, deceased, and the sum of $3,000 to the heirs of Michel Kizer, deceased, also of the Flathead Indian Reservation, who were killed while en route to the said dedication ceremonies of the Going-to-the-Sun Highway in Glacier National Park in full settlement of all claims against the United States arising out of the death of the said Indians on the said occasion.

Proviso.
Payment to heirs.

Approved, June 14, 1935.

CHAP. 273.—An Act For the relief of John E. Click

June 17, 1935.
[H. R. 2466.]
49 Stat., 2083.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John E. Click, chief clerk of the administrative office of the Alaska Division, Bureau of Indian Affairs, with headquarters now at Juneau, Alaska, is hereby relieved of reimbursing the United States for credit to the appropriation "Education of natives of Alaska, 1930–1931", the sum of $261.82 paid to the Alaska Steamship Company, of Seattle, Washington, from said appropriation for transporting his personal and household goods from Seattle, Washington, to Juneau, Alaska, upon permanent change of station, under an authorization issued by the Department of the Interior.

John E. Click.
Credit for transporting personal effects allowed.

Approved, June 17, 1935.

CHAP. 314.—An Act For the relief of John W. Dady

June 25, 1935.
[S. 2333.]
49 Stat., 2093.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of John W. Dady, superintendent and special disbursing agent of the Mission Indian Agency, Riverside, California, for payments aggregating $582.50, made to Thomas Lucas, an Indian, as mileage for travel performed by automobile while employed as subforeman in emergency conservation work: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

John W. Dady.
Credit allowed in accounts.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 25, 1935.

July 19, 1935.
[S. 1498.]
49 Stat., 2105.

CHAP. 396.—An Act For the relief of Robert D. Baldwin

Robert D. Baldwin.
Credit allowed in accounts of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of Robert D. Baldwin, superintendent and special disbursing agent of the Haskell Institute, at Lawrence, Kansas, for an expenditure of $1,359.26 made in October 1931 and paid from the appropriation for Indian boarding schools, fiscal year 1932.

Approved, July 19, 1935.

July 19, 1935.
[S. 1499.]
49 Stat., 2105.

CHAP. 397.—An Act For the relief of Robert J. Enochs

Robert J. Enochs.
Credit allowed in accounts of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of Doctor Robert J. Enochs, former superintendent and special disbursing agent of the Choctaw Indian Agency, Philadelphia, Mississippi, for an expenditure of $80.07 made in January 1932 for shoes, and paid from the appropriation "Support of Indians and Administration of Indian Property, 1932."

Approved, July 19, 1935.

July 19, 1935.
[S. 2292.]
49 Stat., 2106.

CHAP. 399.—An Act For the relief of Emanuel Wallin

Emanuel Wallin.
Reimbursement for amount of homestead entry.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Emanuel Wallin, out of the funds in the Treasury belonging to the Chippewa Tribe of Indians in Minnesota, the sum of $101.90, and out of any money in the Treasury not otherwise appropriated, the sum of $9.30, as reimbursement in full of moneys paid the Government in connection with his homestead entry, Crookston, Minnesota, 010750: *Provided*, That the Secretary of the Interior be, and he is hereby, authorized in his discretion to allow Emanuel Wallin, his heirs or assigns, to select, by legal subdivisions, one hundred and sixty acres of surveyed vacant, unappropriated public land, unreserved except by Executive Order Numbered 6910 of November 26, 1934, and Executive Order Numbered 6964 of February 5, 1935, under the general homestead law, or three hundred and twenty acres under the enlarged homestead law, or six hundred and forty acres under the stock-raising homestead law, free from lawful claim, anywhere in the United States where there are public lands subject to such entry, and receiving United States patent for such lands without payment to the United States of any fees, commissions, or other moneys, and without further compliance with the homestead laws in connection therewith, and the submission of proof thereof, the patent, however, to contain a reservation of mineral to the United States, if necessary, as in other entries under the same law.

Proviso.
Other selections allowed.

Exceptions.
Ex. Orders Nos. 6910, 6964.

Approved, July 19, 1935.

August 7, 1935.
[H. R. 4029.]
49 Stat., 2121.

CHAP. 480.—An Act For the relief of Thomas Enchoff

Thomas Enchoff.
Benefits of Employees' Compensation Act extended to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 17 and 20 of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the per-

formance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Thomas Enchoff, who is alleged to have suffered injuries on or about January 1924 while in the performance of his duties as an employee of the United States Indian Service, at Crow Agency, Montana: *Provided*, That no benefit shall accrue prior to the approval of this Act.

39 Stat., 742; 44 Stat., 772.

Proviso.
No prior benefits.

Approved, August 7, 1935.

CHAP. 544.—An Act For the relief of the rightful heirs of Tiwastewin or Anna

August 14, 1935.
[S. 2533.]
49 Stat., 2143.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ignatius Court, Simon Court, Anna Jackson, Abraham Heduta, Louisa Heduta, Thomas Pan or Zitkana, George Pan or Heraka, Lucy Pan or Istaosapa and Sarah Pan or Assinna, the rightful heirs of Tiwastewin or Anna, deceased allottee Numbered 473 of the Sisseton-Wahpeton Tribe, North Dakota, as determined by the Secretary of the Interior pursuant to existing law, the sum of $93.33 to said Ignatius Court, the sum of $93.33 to the said Simon Court, the sum of $93.33 to said Anna Jackson, the sum of $46.66 to said Abraham Heduta, the sum of $46.66 to said Louisa Heduta, the sum of $46.66 to said Thomas Pan or Zitkana, the sum of $46.66 to said George Pan or Heraka, the sum of $46.66 to said Lucy Pan or Istaosapa, and the sum of $46.66 to said Sarah Pan or Assinna, total sum not to exceed the sum of $559.95: *Provided*, That the Secretary of the Interior may deposit the said sums to the credit of the said heirs and handle in the same manner as other individual Indian moneys: *Provided further*, That not to exceed 5 per centum of these amounts shall be paid to any attorney or attorneys for services rendered in this matter: *And provided further*, That should the persons herein named be not living upon the date of the passage of this Act the said sum shall be credited to and become a part of his or her estate.

Tiwastewin or Anna.
Payment to heirs of.

Proviso.
Manner of deposit and disbursement.

Limitation on attorney's, etc., fees.

Payment to estate if heirs deceased.

Approved, August 14, 1935.

CHAP. 572.—An Act Authorizing and directing the Secretary of the Interior to cancel patent in fee issued to Victoria Arconge

August 19, 1935.
[S. 2388.]
49 Stat., 2149.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to cancel the patent in fee numbered 527856 issued to Victoria Arconge under date of May 8, 1916, covering her allotment of land on the Yankton Sioux Reservation, South Dakota, described as follows: Lots 582, 583, 586, and 587 of the Yankton Indian Reservation, South Dakota, containing one hundred and sixty acres, and to issue to her a trust patent in lieu thereof covering the same land to be held in trust for her sole use and benefit or, in case of her decease, for the sole use and benefit of her lawful heirs or devisees for the same period under the same conditions as other trust allotments are held on that reservation as extended by the last proclamation of the President relating to the said reservation: *Provided*, That any valid encumbrances now resting against any of said land shall not in any manner be affected by the provisions of this Act, but any of such land so encumbered, if still owned by the allottee, heirs, or devisees, shall, when such encumbrances have been removed, become subject

Victoria Arconge.
Land patent to, canceled.

Proviso.
Existing encumbrances.

to the provisions of this Act as fully and to the same intent as if such land were now unencumbered.

Approved, August 19, 1935.

August 20, 1935.
[S. 2374.]
49 Stat., 2155.

CHAP. 589.—An Act For the relief of Elliott H. Tasso and Emma Tasso

Elliott H. Tasso and Emma Tasso.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elliott H. Tasso and Emma Tasso, of Colony, Oklahoma, the sum of $2,000 in full settlement of all claims which they may have against the Government of the United States, due to the death of their child, an infant ten days old, by reason of an accident caused by negligence of the nurse at the Cheyenne and Arapaho Hospital, in October 1932, when said nurse placed the infant child on a table in the bathroom for the purpose of bathing it, and left the room, leaving the child unattended, and during her absence it fell from the table to a hot radiator and thence to the floor, being badly burned and injured in the fall from which it died three weeks later: *Provided*, That in the discretion of the Secretary of the Interior the amount herein appropriated may be held as individual Indian money by the Superintendent of the Cheyenne and the Arapaho Agency, Oklahoma, and be disbursed in accordance with regulations governing such funds: *Provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Provisos.
Disbursement.

Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 20, 1935.

August 26, 1935.
[H. R. 6892.]
49 Stat., 2191.

CHAP. 735.—An Act For the relief of certain Indians on the Cheyenne River Reservation

Cheyenne Indian Reservation, S. Dak.
Settlement of claims, arising from bank failure.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Superintendent of the Cheyenne River Agency, South Dakota, the sum of $253.13, for distribution to certain Indian lessors in full settlement of their claim against the United States, arising out of failure of a bank upon which cashier's checks had been obtained and a decision in the case rendered by the Federal court adverse to the contention of the Government in fixing responsibility: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim,

Proviso.
Limitation on attorney's, etc., fees.

any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, August 26, 1935.

CHAP. 785.—An Act For the relief of L. E. Geary

August 27, 1935.
[H. R. 4831.]
49 Stat., 2195.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of the appropriation "New Vessel for Indian Service, Alaska, Emergency Construction", contained in the First Deficiency Act, fiscal year 1931 (46 Stat. 1070), the sum of $420 to L. E. Geary, of Seattle, Washington, in full settlement of his claim against the Government for services rendered in preparing preliminary plans and estimates for a new ship for use in Alaska by the Indian Service: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

L. E. Geary.
Payment to.
46 Stat., 1070; ante, 194.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 27, 1935.

CHAP. 790.—An Act For the relief of Doctor Ernest B. Dunlap

August 27, 1935.
[H. R. 6602.]
49 Stat., 2197.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Doctor Ernest B. Dunlap, of Lawton, Oklahoma, the sum of $2,806, in full settlement of his claim for professional services rendered by him to Indians between May 2, 1926, and June 30, 1930, inclusive, at the Kiowa Indian Hospital, Oklahoma, upon verbal authorization of the superintendent of the Kiowa Indian Agency.

Doctor Ernest B. Dunlap.
Payment to.

Approved, August 27, 1935.

PUBLIC ACTS OF THE SEVENTY-FOURTH CONGRESS, SECOND SESSION, 1936

CHAP. 7.—An Act To reserve certain public-domain lands in Nevada and Oregon as a grazing reserve for Indians of Fort McDermitt, Nevada.

January 17, 1936.
[S. 1142.]
49 Stat., 1094.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That public-domain lands in the States of Nevada and Oregon described as lots 3, 4, and west half lot 5 of section 1; lots 1 to 9, inclusive; west half lot 10 and north half southwest quarter section 2; lots 1 to 10, inclusive, and south half section 3; lots 1 to 10, inclusive, and southeast quarter section 4; lots 1 to 4, inclusive, and lots 8, 10, 11, and 12 of section 5; north half northeast quarter section 9; north half

Public lands, Nev., and Oreg.
Tract reserved for Indians of Fort McDermitt, Nev.

Description.

northwest quarter and northwest quarter northeast quarter section 10, township 47 north, range 39 east, of the Mount Diablo meridian, Nevada; and southeast quarter section 20; west half southeast quarter and southeast quarter southeast quarter section 21; south half section 22; northwest quarter, southeast quarter and south half southwest quarter section 26; west half southeast quarter, west half northeast quarter and northeast quarter northeast quarter section 27; all of section 28; east half and southwest quarter section 29; all of sections 31, 32, 33, 34, 35, and southwest quarter section 36, of township 40 south, range 44 east; and all of sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, west half, northeast quarter, north half southeast quarter and southwest quarter southeast quarter section 12; west half section 13; all of sections 14, 15, 16, 17, 18, and fractional sections 19, 20, 21, 22, 23, and west half of fractional section 24 of township 41 south, range 44 east, of the Willamette meridian, in Oregon, containing approximately twenty-one thousand five hundred acres, be, and the same are hereby, withdrawn from the public domain and reserve for the use and occupancy of Indians of the former Fort McDermitt Military Reserve, Nevada: *Provided*, That the rights and claims of bona fide settlers initiated under the public land laws prior to July 7, 1933, shall not be affected by this Act.

Proviso.
Prior rights not affected.

Approved, January 17, 1936.

February 11, 1936.
[S. 2877.]
49 Stat., 1106.

CHAP. 44.—An Act To reimpose and extend the trust period on lands reserved for the Pala Band of Mission Indians, California

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the period of trust on lands patented to the Pala Band of Mission Indians in California under authority of the Act of January 12, 1891 (26 Stat. 712), which trust expired January 5, 1935, is hereby reimposed and extended for a period of ten years from that date: *Provided*, That further extension of the period of trust may be made by the President, in his discretion, as provided by the Act of March 2, 1917 (39 Stat. 976).

Pala Band of Mission Indians, Calif.
Trust period on lands of, extended.
26 Stat., 712, vol. 1, 383.

Proviso.
Further extension.
39 Stat., 976, vol. 4, 114.

Approved, February 11, 1936.

February 11, 1936.
[H. R. 10464.]
49 Stat., 1109.

CHAP. 49.—An Act Making appropriations to provide urgent supplemental appropriations for the fiscal year ending June 30, 1936, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1936, and for prior fiscal years, 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 are appropriated, out of any money in the Treasury not otherwise appropriated, to provide urgent supplemental appropriations for the fiscal year ending June 30, 1936, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1936, and for prior fiscal years, and for other purposes, namely:

Supplemental Appropriation Act, fiscal year 1936.

* * * * * * *

Department of the Interior.

DEPARTMENT OF THE INTERIOR

Indian Affairs Bureau.

BUREAU OF INDIAN AFFAIRS

Navajo Indians, Ariz., and N. Mex.
Land, etc., leases.

Leasing of lands for Navajo Indians (tribal funds): For lease, pending purchase, of land and water rights for the use and benefit of Indians of the Navajo Tribe in Arizona and New Mexico, fiscal

year 1936, $25,000, payable from funds on deposit to the credit of the Navajo Tribe.

Klamath Indians, Oreg., support.

Klamath Indians: For an additional amount for support of Indians and administration of Indian property, Klamath Reservation, Oregon, fiscal years 1936 and 1937, $4,000, payable from funds on deposit to the credit of the Klamath Indians: *Provided*, That the foregoing amount shall be available only for fees and expenses of an attorney or firm of attorneys selected by the Klamath Tribe and employed under contract approved by the Secretary of the Interior in accordance with existing law.

Proviso. Attorneys' fees, etc.

Haskell Institute. Acquisition of property.

Acquisition of the property of the Haskell Students' Activities Association: For meeting indebtedness of the Haskell Students' Activities Association and acquiring title to the property of this association for use of the Government Indian school known as Haskell Institute, located at Lawrence, Kansas, as authorized by the Act of August 13, 1935 (49 Stat. 612), fiscal year 1936, $30,500.

49 Stat., 612; ante, 441.

* * * * * * *

AUDITED CLAIMS

Audited claims.

SEC. 4. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1932 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in House Document Numbered 286, Seventy-fourth Congress, there is appropriated as follows:

Payment of.

18 Stat., 110. U. S. C., p. 1410.

23 Stat., 254. U. S. C., p. 59.

* * * * * * *

Department of the Interior:

Department of the Interior.

* * * * * * *

For conservation of health among Indians, $129.73.

For purchase and transportation of Indian supplies, $15.89.

For Indian school support, $203.53.

For Indian boarding schools, $504.

For determining heirs of deceased Indian allottees, $250.

* * * * * * *

Additional audited claims.

(b) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1932 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in Senate Document Numbered 128, Seventy-fourth Congress, there is appropriated as follows:

18 Stat., 110. U. S. C., p. 1410.

23 Stat., 254. U. S. C., p. 59.

* * * * * * *

Department of the Interior: For relieving distress and prevention, and so forth, of diseases among Indians, $36.70.

Department of the Interior.

* * * * * * *

Additional audited claims.

(c) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the

18 Stat., 110. U. S. C., p. 1410.

23 Stat., 254.
U. S. C., p. 59.

service of the fiscal year 1933 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in Senate Document Numbered 157, Seventy-fourth Congress, there is appropriated as follows:

* * * * * * *

Department of the Interior.

Department of the Interior:

* * * * * * *

For purchase and transportation of Indian supplies, $20.24.

For education, Sioux Nation, $44.20.

For Indian school support, $157.78.

For conservation of health among Indians, $11.66.

For agriculture and stock raising among Indians, $1.86.

For support of Indians and administration of Indian property, $33.15.

For Indian boarding schools, $80.10.

* * * * * * *

Additional claims.

(d) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1933 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in Senate Document Numbered 156, Seventy-fourth Congress, there is appropriated as follows:

18 Stat., 110.
U. S. C., p. 1410.

23 Stat., 254.
U. S. C., p. 59.

* * * * * * *

Department of the Interior.

Department of the Interior: For industrial work and care of timber, $19.

For purchase and transportation of Indian supplies, $30.94.

* * * * * * *

Approved, February 11, 1936.

February 11, 1936.
[S. 2148.]

49 Stat., 1135.

CHAP. 50.—An Act To provide for the leasing of restricted Indian lands of Indians of the Five Civilized Tribes in Oklahoma

Five Civilized Tribes, Okla.
Leasing restricted lands of, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after thirty days from the date of approval of this Act the restricted lands belonging to Indians of the Five Civilized Tribes in Oklahoma of one-half or more Indian blood, enrolled or unenrolled, may be leased for periods of not to exceed five years for farming and grazing purposes, under such rules and regulations as the Secretary of the Interior may prescribe and not otherwise. Such leases shall be made by the owner or owners of such lands, if adults, subject to approval by the superintendent or other official in charge of the Five Civilized Tribes Agency, and by such superintendent or other official in charge of said agency in cases of minors and of Indians who are non compos mentis.

Approved, February 11, 1936.

CHAP. 138.—An Act To amend section 3 of the Act approved May 10, 1928, entitled "An Act to extend the period of restriction in lands of certain members of the Five Civilized Tribes, and for other purposes", as amended February 14, 1931

March 12, 1936.
[S. 3227.]
49 Stat., 1160.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act of May 10, 1928, entitled "An Act to extend the period of restriction in lands of certain members of the Five Civilized Tribes, and for other purposes", as amended February 14, 1931, be amended to read as follows:

Five Civilized Tribes, Okla.
45 Stat., 496, ante, 46; 46 Stat., 1108, ante, 201.

"SEC. 3. That all minerals, including oil and gas, produced on or after April 26, 1931, from restricted allotted lands of members of the Five Civilized Tribes in Oklahoma, or from inherited restricted lands of full-blood Indian heirs or devisees of such lands, shall be subject to all State and Federal taxes of every kind and character the same as those produced from lands owned by other citizens of the State of Oklahoma; and the Secretary of the Interior is hereby authorized and directed to cause to be paid, from the individual Indian funds held under his supervision and control and belonging to the Indian owners of the lands, the tax or taxes so assessed against the royalty interest of the respective Indian owners in such oil, gas, and other mineral production: *Provided*, That nothing in this Act shall be construed to impose or provide for double taxation and, in those cases where the machinery or equipment used in producing oil or other minerals on restricted Indian lands are subject to the ad valorem tax of the State of Oklahoma for the fiscal year ending June 30, 1931, the gross production tax which is in lieu thereof shall not be imposed prior to July 1, 1931: *Provided further*, That in the discretion of the Secretary of the Interior, the tax or taxes due the State of Oklahoma may be paid in the manner provided by the statutes of the State of Oklahoma."

Taxation of minerals, etc., from restricted lands of.

Payments.

Provisos.
Double taxation, etc.

Payments to State.

Approved, March 12, 1936.

CHAP. 156.—An Act Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1937, and for other purposes

March 19, 1936.
[H. R. 9863.]
49 Stat., 1167.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1937, namely:

Independent Offices Appropriation Act, 1937.

* * * * * * *

SMITHSONIAN INSTITUTION

Smithsonian Institution.

* * * * * * *

American ethnology: For continuing ethnological researches among the American Indians and the natives of Hawaii, the excavation and preservation of archeologic remains under the direction of the Smithsonian Institution, including necessary employees, the preparation of manuscripts, drawings, and illustrations, the purchase of books and periodicals, and traveling expenses, $58,730.

American ethnology.

* * * * * * *

Approved, March 19, 1936.

April 14, 1936.
[S. 4232.]
49 Stat., 1206.

CHAP. 215.—An Act To create a commission and to extend further relief to water users on United States reclamation projects and on Indian irrigation projects

Reclamation projects.
Commission created to investigate financial, etc., conditions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby created a commission to be composed of three members, all of whom shall be appointed by the Secretary of the Interior, two from the personnel of the Department of the Interior, and one who shall be a landowner and water user under a United States reclamation project. The commission is authorized and directed to investigate the financial and economic condition of the various United States reclamation projects, with particular reference to the ability of each such project to make payments of water-right charges without undue burden on the water users, district, association, or other reclamation organization liable for such charges. Such investigation shall include an examination and consideration of any statement filed with the commission, or the Department of the Interior, by any such district, association, or other reclamation organization, or the water users thereof, and, where requested by any such district, association, or other reclamation organization, said commission shall proceed to such project and hold hearings, the proceedings of which shall be reduced to writing and filed with its report. Said commission, after having made careful investigation and study of the financial and economic condition of the various United States reclamation projects and their probable present and future ability to meet such water-right charges, shall report to the Congress, at the beginning of the Seventy-fifth Congress, with its recommendations as to the best, most feasible, and practicable comprehensive permanent plan for such water-right payments, with due consideration for the development and carrying on of the reclamation program of the United States, and having particularly in mind the probable ability of such water users, districts, associations, or other reclamation organizations to meet such water-right charges regularly and faithfully from year to year, during periods of prosperity and good prices for agricultural products as well as during periods of decline in agricultural income and unsatisfactory conditions of agriculture.

Ability to pay water-right charges.

Scope, etc., of investigation.

Report and recommendations to Congress.

Appropriation authorized for expenses.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $5,000, which shall be available for expenditure, as the Secretary of the Interior may direct, for expenses and all necessary disbursements, including salaries, in carrying out the provisions of this Act. The commission is authorized to appoint and fix the compensation of such employees as may be necessary for carrying out its functions under this Act without regard to civil-service laws or the Classification Act of 1923, as amended.

Employees.
U. S. C., pp. 81, 85.

Relief to water users, extended.
49 Stat., 337; ante, 431.

SEC. 3. That all the provisions of the Act entitled "An Act to further extend relief to water users on the United States reclamation projects and on Indian irrigation projects", approved June 13, 1935, are hereby further extended for the period of one year, so far as concerns 50 per centum of the construction charges, for the calendar year 1936: *Provided, however*, That where the construction charge for the calendar year 1936 is payable in two installments the sum hereby extended shall be the amount due as the first of such installments. If payable in one installment, the due date for the 50 per centum to be paid shall not be changed.

Proviso.
Construction charges, 1936.

Approved, April 14, 1936.

CHAP. 254.—An Act To extend certain provisions of the Act approved June 18, 1934, commonly known as the Wheeler-Howard Act (Public Law Numbered 382, Seventy-third Congress, 48 Stat. 984), to the Territory of Alaska, to provide for the designation of Indian reservations in Alaska, and for other purposes [1]

May 1, 1936.
[H. R. 9866.]
49 Stat., 1250.

Be it enacted by the Senate and House of Representatives, of the United States of America in Congress assembled, That sections 1, 5, 7, 8, 15, 17, and 19 of the Act entitled "An Act to conserve and develop Indian lands and resources; to extend to Indians the right to form business and other organizations; to establish a credit system for Indians; to grant certain rights of home rule to Indians; to provide for vocational education for Indians; and for other purposes", approved June 18, 1934 (48 Stat. 984), shall hereafter apply to the Territory of Alaska: *Provided*, That groups of Indians in Alaska not heretofore recognized as bands or tribes, but having a common bond of occupation, or association, or residence within a well-defined neighborhood, community, or rural district, may organize to adopt constitutions and bylaws and to receive charters of incorporation and Federal loans under sections 16, 17, and 10 of the Act of June 18, 1934 (48 Stat. 984).

Indians, Alaska.
Certain home rule, etc., provisions extended to.
48 Stat., 984, 988; ante, 378, 381.
U. S. C., p. 1031.

Proviso.
Groups not previously recognized as bands or tribes.

48 Stat., 987, 988, 986; ante, 379, 381, 378.

SEC. 2. That the Secretary of the Interior is hereby authorized to designate as an Indian reservation any area of land which has been reserved for the use and occupancy of Indians or Eskimos by section 8 of the Act of May 17, 1884 (23 Stat. 26), or by section 14 or section 15 of the Act of March 3, 1891 (26 Stat. 1101), or which has been heretofore reserved under any executive order and placed under the jurisdiction of the Department of the Interior or any bureau thereof, together with additional public lands adjacent thereto, within the Territory of Alaska, or any other public lands which are actually occupied by Indians or Eskimos within said Territory: *Provided*, That the designation by the Secretary of the Interior of any such area of land as a reservation shall be effective only upon its approval by the vote, by secret ballot, of a majority of the Indian or Eskimo residents thereof who vote at a special election duly called by the Secretary of the Interior upon thirty days' notice: *Provided, however*, That in each instance the total vote cast shall not be less than 30 per centum of those entitled to vote: *Provided further*, That nothing herein contained shall affect any valid existing claim, location, or entry under the laws of the United States, whether for homestead, mineral, right-of-way, or other purpose whatsoever, or shall affect the rights of any such owner, claimant, locator, or entryman to the full use and enjoyment of the land so occupied.[2]

Designation of certain areas as Indian reservations.
23 Stat., 26; 26 Stat., 1101.
U. S. C., p. 2131.

Provisos.
Approval by residents.

Vote requirements.

Existing rights not affected.

Approved, May 1, 1936.

CHAP. 340.—Joint Resolution To amend Public Act Numbered 435, Seventy-second Congress

May 6, 1936.
[H. J. Res. 215.]
49 Stat., 1266.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the last proviso in that Public Act Numbered 435 of the Seventy-second Congress entitled "An Act to authorize the Secretary of the Interior to modify the terms of existing contracts for the sale of timber on Indian land when it is in the interest of the Indians so to do," as amended, be, and the same hereby is, amended to read as follows: "*And provided further*, That the authority granted herein shall terminate on the 4th day of Sep-

Indian lands, timber sales.
Terms of existing contracts modified.
47 Stat., 1568; ante, 329. 48 Stat., 311, 397; ante, 342, 359.
U. S. C., p. 1028.
Duration of authority.
Approval required.

[1] 16 Comp. Gen. Dec., 522.
[2] 56 I. D. D., 110, 140.

tember 1936: *Provided further*, That all such modified contracts shall have the approval of the tribal general council for tribal lands and of the allottee for allotted lands."

Approved, May 6, 1936.

May 15, 1936. [S. 381.]
49 Stat., 1272.

CHAP. 390.—An Act For the relief of the Confederated Bands of Ute Indians located in Utah, Colorado, and New Mexico

Confederated Bands of Ute Indians. Payment for certain land authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of $161,400 be, and the same is hereby, authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Confederated Bands of Ute Indians in full compensation as to claim for principal sum for sixty-four thousand five hundred and sixty acres of land in western Colorado, taken from the said Indians by the United States and set aside as a naval oil reserve by Executive orders, dated December 6, 1916, and September 27, 1924; said sum to be placed on the books of the Treasury Department to the credit of the Confederated Bands of Ute Indians in the proportions specified by the Act of June 15, 1880 (21 Stat. L. 199), to bear interest at 4 per centum per annum and from the date of the passage of this Act.

21 Stat., 199, vol. 1, 180.
Interest.

Attorneys', etc., fees.

SEC. 2. The Secretary of the Treasury is hereby authorized to pay, out of said appropriation when made, such fees and expenses as the Secretary of the Interior may deem reasonable, on a quantum meruit basis, for services rendered by attorneys or agents having approved or heretofore approved contracts with said Indians, or approved assignments thereof, not to exceed, however, a total of 10 per centum of the amount appropriated hereunder, as follows:

(1) A contract with Southern Ute Band and the Ute Mountain Band approved July 7, 1928, a partial assignment of which was approved on May 28, 1929.

(2) A contract with the Uintah and White River Bands, approved on October 8, 1932, an assignment of which was approved on February 13, 1935.

(3) A contract with the Uncompahgre Band approved October 8, 1932, an assignment of which was approved on February 13, 1935.

Approved, May 15, 1936.

May 15, 1936. [S. 1494.]
49 Stat., 1272.

CHAP. 391.—An Act To amend an Act entitled "An Act authorizing the Chippewa Indians of Minnesota to submit claims to the Court of Claims," approved May 14, 1926 (44 Stat. L. 555)[1]

Chippewa Indians of Minnesota. Suits of, before Court of Claims, amendments to pleadings permitted.
44 Stat., 555, vol. 4, 546.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all suits filed under the Act entitled "An Act authorizing the Chippewa Indians of Minnesota to submit claims to the Court of Claims," approved May 14, 1926 (44 Stat. L. 555), either party, with the consent of the court first had and obtained, shall have the right to amend the pleadings at any time prior to the entry of final judgment so as to include all claims said Indians may have under said Act against the United States and any defense the United States may have thereto.

Approved, May 15, 1936.

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[1] 87 Ct. Cls., 1; 88 Ct. Cls., 1; 307 U. S., 1.

CHAP. 392.—An Act To provide funds for cooperation with Wellpinit School District Numbered 49, Stevens County, Washington, for the construction of a public-school building to be available for Indian children of the Spokane Reservation

May 15, 1936.
[S. 2849.]
49 Stat., 1273.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $75,000 for the purpose of cooperating with Wellpinit School District Numbered 49, Stevens County, Washington, for the construction and equipment of a public-school building in the vicinity of Wellpinit, Washington: *Provided*, That the expenditure of any money authorized to be appropriated herein shall be subject to the condition that the school maintained by said district in such building shall be available to all Indian children of the Spokane Indian Reservation on the same terms, except as to payment of tuition, as other children of said school district: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Stevens County, Wash.
Funds for public-school construction, authorized.

Provisos.
Attendance of Indian children.

Limitations on expenditures.

Approved, May 15, 1936.

CHAP. 394.—An Act To provide funds for cooperation with the public-school district at Hays, Montana, for construction and improvement of public-school buildings to be available for Indian children

May 15, 1936.
[S. 3372.]
49 Stat., 1274.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $50,000 for the purpose of cooperating with the Hays Public School District, Hays, Montana, for construction and improvement of grade- and high-school buildings: *Provided*, That said schools shall be available to both white and Indian children without discrimination, except that tuition may be paid for Indian children attending in the discretion of the Secretary of the Interior: *Provided further*, That expenditures of moneys authorized hereby shall be subject to such further conditions as may be prescribed by the Secretary of the Interior: *Provided further*, That this appropriation shall be reimbursed in not more than thirty years without interest, either through reducing the annual Federal tuition payments for the education of Indian pupils attending such school, by the acceptance of Indian pupils in such school without cost to the United States; or in such other manner as the Secretary of the Interior may direct: *And provided further*, That plans and specifications shall be furnished by local or State authorities, without cost to the United States, and upon approval thereof by the Commissioner of Indian Affairs, work shall proceed under the direction of local or State officials, payment therefor to be made monthly on the basis of work in place and upon vouchers approved by a responsible official of the Indian Service.

Hays, Mont.
Funds for public-school construction, authorized.

Provisos.
No racial discrimination.
Tuition fee, Indian children.
Expenditures.

Reimbursement of appropriation.

Plans and specifications.

Supervision and payments.

Approved, May 15, 1936.

CHAP. 398.—An Act To amend an Act entitled "An Act authorizing certain tribes of Indians to submit claims to the Court of Claims, and for other purposes," approved May 26, 1920[1]

May 15, 1936.
[S. 3797.]
49 Stat., 1276.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the suit

Klamath, etc., Indians, Oreg.

[1] 296 U. S., 244; 304 U. S., 117. 81 Ct. Cls., 79; 85 Ct. Cls., 451; 86 Ct. Cls., 614, 769.

Suit of, before Court of Claims, reinstated. 41 Stat., 623, vol. 4, 268.

numbered E-346 heretofore instituted in the Court of Claims by the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians under an Act entitled "An Act authorizing certain tribes of Indians to submit claims to the Court of Claims, and for other purposes", approved May 26, 1920, jurisdiction is hereby conferred upon said court, and it is hereby authorized and directed, irrespective of any release or settlement, to reinstate and retry said case and to hear and determine the claims of the plaintiffs on the merits, and to enter judgment thereon upon the present pleadings, evidence, and findings of fact, with the right of appeal, rather than by certiorari, to the Supreme Court of the United States by either party: *Provided*, That any payment heretofore made to the said Indians by the United States in connection with any release or settlement shall be charged as an offset, but shall not be treated as an estoppel.

Proviso. Effect of previous payment.

Approved, May 15, 1936.

May 15, 1936. [H. R. 12098.] 49 Stat., 1309.

CHAP. 405.—An Act Making appropriations for the Departments of State and Justice, and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1937, and for other purposes.

Appropriations for Departments of State and Justice, the Judiciary, and Departments of Commerce and Labor, fiscal year, 1937.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1937, namely:

* * * * * * *

Department of Justice.

TITLE II—DEPARTMENT OF JUSTICE

* * * * * * *

Defending suits in claims against United States.

Defending suits in claims against the United States: For necessary expenses incurred in the examination of witnesses, procuring evidence, employment of experts at such rates of compensation as may be authorized or approved by the Attorney General, and such other expenses as may be necessary in defending suits in the Court of Claims, including Indian depredation claims, and contested proceedings involving inventions, to be expended under the direction of the Attorney General, $45,000.

* * * * * * *

Approved, May 15, 1936.

June 4, 1936. [H. R. 11418.] 49 Stat., 1421.

CHAP. 489.—An Act Making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1937, and for other purposes

Department of Agriculture, Farm Credit Administration appropriations, fiscal year 1937.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1937, namely:

Title I—Department of Agriculture.

TITLE I—DEPARTMENT OF AGRICULTURE

OFFICE OF THE SECRETARY

* * * * * * *

Road construction through public lands, Federal reservations, etc. Time extended.

The authorization of $2,500,000 for the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal

reservations other than the forest reservations, under the provisions of the Act of June 24, 1930 (46 Stat., p. 805), provided for by section 6 of the Highway Act of June 18, 1934 (48 Stat., p. 994), for the fiscal year 1937, is hereby canceled for said fiscal year and made applicable to the fiscal year ending June 30, 1938.

46 Stat., 805; post, 633. 48 Stat., 994; ante, 378.

* * * * * * *

Approved, June 4, 1936.

CHAP. 490.—An Act To amend an Act entitled "An Act authorizing the Secretary of the Interior to arrange with States or Territories for the education, medical attention, relief of distress, and social welfare of Indians, and for other purposes"

June 4, 1936. [S. 3452.] 49 Stat., 1458.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of April 16, 1934 (48 Stat. 596), entitled "An Act authorizing the Secretary of the Interior to arrange with States or Territories for the education, medical attention, relief of distress, and social welfare of Indians, and for other purposes", be, and the same hereby is amended to read as follows:

Indian welfare, etc. 48 Stat., 596; ante, 364.

"That the Secretary of the Interior be, and hereby is, authorized, in his discretion, to enter into a contract or contracts with any State or Territory, or political subdivision thereof, or with any State university, college, or school, or with any appropriate State or private corporation, agency, or institution, for the education, medical attention, agricultural assistance, and social welfare, including relief of distress, of Indians in such State or Territory, through the agencies of the State or Territory or of the corporations and organizations hereinbefore named, and to expend under such contract or contracts, moneys appropriated by Congress for the education, medical attention, agricultural assistance, and social welfare, including relief of distress, of Indians in such State or Territory.

Contracts with States, etc., for education, etc., of Indians.

Expenditure of Federal funds.

"SEC. 2. That the Secretary of the Interior, in making any contract herein authorized, may permit such contracting party to utilize, for the purposes of this Act, existing school buildings, hospitals, and other facilities, and all equipment therein or appertaining thereto, including livestock and other personal property owned by the Government, under such terms and conditions as may be agreed upon for their use and maintenance.

Utilization of existing facilities.

"SEC. 3. That the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations, including minimum standards of service, as may be necessary and proper for the purpose of carrying the provisions of this Act into effect: *Provided*, That such minimum standards of service are not less than the highest maintained by the States or Territories within which said contract or contracts, as herein provided, are to be effective.

Powers of Secretary.

Minimum standards of service.

Proviso. Rating.

"SEC. 4. That the Secretary of the Interior shall report annually to the Congress any contract or contracts made under the provisions of this Act, and the moneys expended thereunder."

Annual report to Congress.

Approved, June 4, 1936.

CHAP. 491.—An Act To amend the last paragraph, as amended, of the Act entitled "An Act to refer the claims of the Delaware Indians to the Court of Claims, with the right of appeal to the Supreme Court of the United States", approved February 7, 1925[1]

June 4, 1936. [S. 4184.] 49 Stat., 1459.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last

Delaware Indians, Okla.

[1] 84 Ct. Cls., 537.

Limitation on certain attorneys' fees amended.
43 Stat., 812; vol. 4, 474. 44 Stat., 1358; vol. 4, 939.

paragraph, as amended, of the Act entitled "An Act to refer the claims of the Delaware Indians to the Court of Claims, with the right of appeal to the Supreme Court of the United States", approved February 7, 1925, is amended by striking out the following: "and in no event to be more than $25,000 in any one claim".

Approved, June 4, 1936.

June 4, 1936.
[S. 4298.]
49 Stat., 1459.

CHAP. 492.—An Act To authorize an appropriation to pay non-Indian claimants whose claims have been extinguished under the Act of June 7, 1924, but who have been found entitled to awards under said Act as supplemented by the Act of May 31, 1933

Indian pueblos in New Mexico.
Payments to non-Indian claimants for certain extinguished claims.
43 Stat., 636, vol. 4, 454.
48 Stat., 109; ante, 337.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sum to compensate white settlers or non-Indian claimants whose claims have been extinguished under the Act of June 7, 1924 (43 Stat. L. 636), but who have been found by the Secretary of the Interior, in conformity with the proviso to section 3 of the Act of May 31, 1933 (48 Stat. L. 108, 109), to be entitled to increased compensation by reason of errors in the amount of award previously allowed or entitled to original awards by reason of errors in the omission of legitimate claimants. The non-Indian claimants, or their successors, as found and reported by the Secretary of the Interior, to be compensated out of said appropriation to be disbursed under the direction of the Secretary of the Interior in the amounts found to be due them, as follows: Within the Pueblo of Nambe, $456.40; within the Pueblo of San Ildefonso, $141.88; within the Pueblo of Cochiti, $936.55; within the Pueblo of Sandia, $1,292.21; within the Pueblo of San Juan, $244.20; in all, $3,071.24.

Amounts found due.

Approved, June 4, 1936.

June 16, 1936.
[H. R. 11687.]
49 Stat., 1519.

CHAP. 582.—An Act To amend the Federal Aid Highway Act, approved July 11, 1916, as amended and supplemented, and for other purposes

Federal Aid Highway Act of 1916, amendments.
39 Stat., 355. 42 Stat., 212, 261. 46 Stat., 805.
U. S. C., p. 969.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of carrying out the provisions of the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, and all Acts amendatory thereof and supplementary thereto, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the following sums, to be expended according to the provisions of such Act as amended: The sum of $125,000,000 for the fiscal year ending June 30, 1938, and the sum of $125,000,000 for the fiscal year ending June 30, 1939.

Sums authorized for fiscal years 1938 and 1939.

Apportionment, availability, etc.

(a) All sums authorized in this section and apportioned to the States shall be available for expenditure for one year after the close of the fiscal year for which said sums, respectively, are authorized, and any sum remaining unexpended at the end of the period during which it is available for expenditure shall be reapportioned among the States as provided in section 21 of the Federal Highway Act of 1921 (42 Stat. 212).

Use of unexpended balances.

* * * * * * *

Indian reservation roads.
Construction, improvement, etc.
45 Stat., 750; ante, 57, 230, 383.

SEC. 6. For construction and improvement of Indian reservation roads under the provisions of the Act approved May 26, 1928 (45 Stat. 750), there is hereby authorized to be appropriated the sum of $4,000,000 for the fiscal year ending June 30, 1938, and the sum of $4,000,000 for

the fiscal year ending June 30, 1939: *Provided*, That hereafter the location, type and design of all roads constructed under the provisions of said Act of May 26, 1928, shall be approved by the Bureau of Public Roads before any expenditures are made thereon, and all such construction done by contract shall be under the general supervision of said Bureau.

Proviso.
Location, type, and design.

Contract work supervision.

* * * * * * *

Approved, June 16, 1936.

CHAP. 593.—An Act To consolidate the Indian pueblos of Jemez and Pecos, New Mexico

June 19, 1936.
[H. R. 12074.]
49 Stat., 1528.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Pueblo Indian tribes of New Mexico, commonly known and referred to as the Pueblo de Jemez and Pueblo de Pecos, be, and they are hereby, consolidated and merged into one tribe hereafter to be known as the Pueblo de Jemez.

Jemez and Pecos pueblos, N. Mex.
Consolidation into Pueblo de Jemez.

SEC. 2. That all property, real or personal, rights, titles, interests, claims, or demands of whatsoever kind or nature, now held or claimed by either of said tribes, or communities shall be, and hereby are, vested in the consolidated tribe.

Property, etc., held by either to be vested in consolidated tribe.

SEC. 3. That the unexpended balance of any funds heretofore awarded to, appropriated for, or hereafter to be appropriated by Congress for the use or benefit of either of said tribes or pueblos referred to shall be held for and applied to the use and benefit of said consolidated and merged tribe or pueblo, known as Pueblo de Jemez, subject to all limitations or restrictions now applicable to said funds.

Use of funds of either tribe.

Approved, June 19, 1936.

CHAP. 622.—An Act To relieve restricted Indians whose lands have been taxed or have been lost by failure to pay taxes, and for other purposes

June 20, 1936.
[H. R. 7764.]
49 Stat., 1542.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $25,000, to be expended under such rules and regulations as the Secretary of the Interior may prescribe, for payment of taxes, including penalties and interest, assessed against individually owned Indian land the title to which is held subject to restrictions against alienation or encumbrance except with the consent or approval of the Secretary of the Interior, heretofore purchased out of trust or restricted funds of an Indian, where the Secretary finds that such land was purchased with the understanding and belief on the part of said Indian that after purchase it would be nontaxable, and for redemption or reacquisition of any such land heretofore or hereafter sold for nonpayment of taxes.

Indians.
Sum authorized for relief of restricted Indians whose lands have been taxed, or lost through nonpayment of taxes.

SEC. 2. All lands the title to which is now held by an Indian subject to restrictions against alienation or encumbrance except with the consent or approval of the Secretary of the Interior, heretofore purchased out of trust or restricted funds of said Indian, are hereby declared to be instrumentalities of the Federal Government and shall be nontaxable until otherwise directed by Congress.[1]

Certain lands purchased from trust, etc., funds declared Federal instrumentalities.

Approved, June 20, 1936.

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[1] 56 I. D. D., 48.

June 20, 1936.
[H. R. 11218.]
49 Stat., 1543.

CHAP. 624.—An Act To provide for the disposition of tribal funds now on deposit, or later placed to the credit of the Crow Tribe of Indians, Montana, and for other purposes

Crow Indians, Mont.
Per-capita payments, etc., from tribal funds authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That tribal funds now on deposit or later placed to the credit of the Crow Tribe of Indians, Montana, may be used for per-capita payments, or such other purposes as may be designated by the tribal council and approved by the Secretary of the Interior, and section 11 of the Act of June 4, 1920 (41 Stat. 751), is hereby modified accordingly.

41 Stat., 754, vol. 4, 275.

Approved, June 20, 1936.

June 20, 1936.
[H. R. 12073.]
49 Stat., 1544.

CHAP. 627.—An Act To reserve certain public-domain lands in New Mexico as an addition to the school reserve of the Jicarilla Indian Reservation

Jicarilla Indian Reservation, N. Mex.
Certain lands added to school reserve.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described public-domain lands be, and they are hereby, withdrawn from entry, sale, or other disposition and set aside as an addition to the school reserve of the Jicarilla Indian Reservation, Dulce, New Mexico: Northwest quarter southwest quarter and the southeast quarter southwest quarter section 30, township 32 north, range 1 west, New Mexico principal meridian, New Mexico: *Provided*, That said withdrawal shall not affect any valid rights initiated prior to approval hereof.[1]

Proviso.
Prior rights not affected.

Approved, June 20, 1936.

June 20, 1936.
[S. J. Res. 243.]
49 Stat., 1568.

CHAP. 649.—Joint Resolution Authorizing distribution to the Indians of the Blackfeet Indian Reservation, Montana, of the judgment rendered by the Court of Claims in their favor[2]

Blackfeet Indian Reservation, Mont.
Per capita distribution of court judgment to Indians of, authorized.
43 Stat., 21, vol. 4, 402.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to withdraw from the tribal fund of the Blackfeet, Blood, and Piegan Indians of the Blackfeet Reservation, Montana, credited or to be credited on the books of the Treasury under the Act of March 13, 1924 (43 Stat. 21), a sufficient sum to make a per-capita distribution of $85 to each member of said tribes who was living and entitled to enrollment with said Indians on the date final judgment was rendered in their favor by the Court of Claims in the case Docket Numbered E–427; such per-capita distribution to be made under such rules and regulations as the Secretary of the Interior may prescribe.

Disposition of balance.

SEC. 2. The balance remaining in the tribal fund of the Blackfeet, Blood, and Piegan Indians after the per-capita distribution herein authorized shall be available for disposition by the tribal council of said Indians, with the approval of the Secretary of the Interior, in accordance with the constitution and bylaws of the Blackfeet Tribe of the Blackfeet Indian Reservation.

Approved, June 20, 1936.

June 20, 1936.
[S. J. Res. 245.]
49 Stat., 1569.

CHAP. 650.—Joint Resolution Authorizing distribution to the Gros Ventre Indians of the Fort Belknap Reservation, Montana, of the judgment rendered by the Court of Claims in their favor

Fort Belknap Reservation, Mont.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the

[1] 38 Opp. Atty. Gen., 123.
[2] 81 Ct. Cls., 101; 86 Ct. Cls., 614, 769.

Interior is hereby authorized and directed to withdraw from the Treasury and to distribute per capita, as provided herein, to the Gros Ventre Indians of the Fort Belknap Reservation, Montana, the sum arising from a judgment rendered in their favor by the Court of Claims in the case docketed as E–427, credited or to be credited to said Indians on the books of the Treasury under the Act of March 13, 1924 (43 Stat. 21).

Per capita distribution of court judgment to Gros Ventre Indians of, authorized.

43 Stat., 21, vol. 4, 402.

SEC. 2. That for the purpose of making the distribution herein authorized, the Secretary of the Interior shall cause a roll of said Indians to be prepared by a commission consisting of the Gros Ventre members of the Fort Belknap Community Council. In the preparation of said roll, those members of the Gros Ventre Tribe whose names appear on the allotment roll made pursuant to the Act of March 3, 1921 (41 Stat. 1355), and who are alive on the date of approval of this resolution shall first be enrolled, to which number shall be added the names of all children of one-fourth or more Gros Ventre Indian blood born to all allotted Indians of the Fort Belknap Reservation, regardless of place of residence of such children or their parents: *Provided*, That all such children so enrolled shall be alive and in being on the date of approval of this resolution: *Provided further*, That there shall be added to and included in the roll herein authorized the names of George Gambler and Josephine Gambler White, two Gros Ventre Indians omitted from the Fort Belknap allotment roll due to absence from the reservation: *Provided, however*, That said George Gambler and Josephine Gambler White have not been enrolled with or participated in the benefits of any other tribe.

Roll of Indians to be prepared.

41 Stat., 1355, vol. 4, 319.

Provisos.
Enrolling of children.

Names of George Gambler and Josephine Gambler White added.

Condition.

SEC. 3. When the roll herein provided for shall have been completed and approved by the Secretary of the Interior, he shall thereupon cause the per-capita share due each member of said Gros Ventre Tribe so enrolled to be credited to the individual Indian money account of such member for expenditure in accordance with the individual Indian money regulations.

Per capita share to be credited upon completion of roll.

Approved, June 20, 1936.

CHAP. 689.—An Act Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1936, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1936, and June 30, 1937, and for other purposes

June 22, 1936.
[H. R. 12624.]
49 Stat., 1597.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1936, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1936, and June 30, 1937, and for other purposes, namely:

First Deficiency Appropriation Act, fiscal year 1936.

* * * * * * *

INTERIOR DEPARTMENT

Interior Department.

* * * * * * *

BUREAU OF INDIAN AFFAIRS

Indian Affairs Bureau.

Indian Agency Buildings: For an additional amount for lease, purchase, repair and improvement of agency buildings, exclusive of hospital buildings, including the purchase of necessary lands and the installation, repair and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, fiscal year 1937, $85,000.

Agency buildings,

Adjustment of claims of certain Sioux Indians.

Adjustment of claims of certain Sioux Indians: For additional amounts in the following appropriations to adjust errors in the disbursing accounts of James B. Kitch, former superintendent of the Standing Rock Indian Reservation in North Dakota: Purchase and transportation of Indian supplies, fiscal year 1917, $5.35; education, Sioux Nation, fiscal year 1918, $646.50; industrial work and care of timber, fiscal year 1918, $130; suppressing contagious diseases among livestock of Indians, fiscal year 1918, $20.69; Indian school and agency buildings, fiscal year 1918, $103.97; education, Sioux Nation, fiscal year 1919, $603.91; suppressing contagious diseases among livestock of Indians, fiscal year 1919, $4; increased compensation Indian Service, fiscal year 1920, $1,211.77; Indian school and agency buildings, fiscal year 1920, $234.28; in all, $2,960.47: *Provided*, That the foregoing amounts shall be placed to the credit of the Superintendent of the Standing Rock Reservation to restore a depleted balance in the fund "Special deposits, sale of reimbursable stock", due to the use of said fund for the benefit of the above-listed appropriations, and for the purpose of making available a sufficient amount to permit payment of claims of individual Sioux Indians of the Standing Rock Reservation against said fund.

Proviso.
Amounts placed to credit of Superintendent of Standing Rock Reservation.

Supervising mining operations.
Transfer to Geological Survey.
49 Stat., 184; ante, 409.

Supervising mining operations on leased Indian lands: For an additional amount for transfer to the Geological Survey for expenditures to be made in inspecting mines, examining mineral deposits on Indian lands and in supervising mineral operations on restricted tribal and allotted Indian lands, fiscal years 1936 and 1937, $7,500.

Crow Reservation, Mont., irrigation systems.

Maintenance and operation, irrigation systems, Crow Reservation, Montana (reimbursable): For an additional amount for maintenance and operation of irrigation systems on the Crow Reservation, Montana, fiscal year 1933, $8.08 (reimbursable).

Indian irrigation systems, construction, operation, etc.

Reappropriation.

48 Stat., 1227; ante, 389.

Construction, Operation and Maintenance, Indian Irrigation Systems: The unexpended balances of such appropriations for construction, operation and maintenance (including power revenues) of irrigation projects on Indian reservations as were repealed by Section 4 of the Permanent Appropriation Repeal Act, 1934, are hereby made available for obligations incurred against such appropriations prior to July 1, 1935, and any remaining unobligated balances of such repealed appropriations shall be added to and become a part of the receipts accruing from each project during the fiscal year 1936.

Support of Indian schools.
Indians in public schools.
49 Stat., 189; ante, 414.
Proviso.
Formal contracts not required.
R. S., sec. 3744, p. 738; U. S. C., p. 1805.

Indian schools, support: For an additional amount for the support of Indian schools not otherwise provided for, including tuition for Indian pupils attending public schools, fiscal year 1936, $74,000: *Provided*, That formal contracts shall not be required for compliance with section 3744 of the Revised Statutes (U. S. C., title 41, sec. 16), for payment of tuition of Indian children attending public schools.

General support and administration.

49 Stat., 194; ante, 416.

Support of Indians and administration of Indian property: For an additional amount for general support of Indians and administration of Indian property, including pay of employees authorized by continuing or permanent treaty provisions, fiscal year 1936, $75,000.

Support of Indians and administration of Indian property: For an additional amount for general support of Indians and administration of Indian property, including pay of employees authorized by continuing or permanent treaty provisions, fiscal year 1937, $11,500.

Menominee Indians, Wis.
Keshena Agency.

Support of Indians and administration of Indian property (tribal funds): Appropriations from tribal funds of the Menominee Indians of Wisconsin, fiscal years 1935, 1936, and 1937, for general support of Indians and administration of Indian property (Keshena Agency),

are hereby made available for hospitalization of Indians under contracts for such service for such fiscal years, and the Comptroller General of the United States is hereby authorized and directed to allow credit in the accounts of disbursing agents of the United States for payments heretofore made on this account.

Indian boarding schools.
Sequoyah Orphan Training School, Okla.
Balance available.
49 Stat., 191; ante, 415.

Indian Boarding Schools (Sequoyah, Oklahoma): The unexpended balance of the appropriation of $24,000 contained in the Interior Department Appropriation Act, fiscal year 1936, for enlarging the hospital (including purchase of necessary equipment) at the Sequoyah Orphan Training School, near Tahlequah, Oklahoma, is hereby continued available for the same purpose until June 30, 1937.

Jones Academy, Okla.

Indian boarding schools: For dairy barn, hay shed, and milk house, Jones Academy, Oklahoma, fiscal year 1937, $10,000.

Wichita, etc., Indians, Okla.
Allowance to attorneys in claims.
Sum reappropriated.
45 Stat., 1641; ante, 122.
Further sum authorized.

Expenses of attorneys, Wichita and affiliated bands of Indians of Oklahoma (tribal funds): In addition to the $2,000 authorized to be used by the Second Deficiency Act, fiscal year 1929, approved March 4, 1929 (45 Stat., p. 1640), the Secretary of the Interior is authorized to expend the further sum of $500, or so much thereof as may be necessary, from the tribal funds of the Wichita and affiliated bands of Indians of Oklahoma in the Treasury of the United States, upon proper vouchers to be approved by him, for costs and expenses already incurred and those to be incurred by their duly authorized attorneys in the prosecution of the claims of said Indians now pending in the Court of Claims, including expenses of not exceeding two delegates from said bands of Indians, to be designated by the business committee representing all said bands, who may be called to Washington from time to time with the permission of the Commissioner of Indian Affairs on business connected with said claims, the additional amount herein authorized to remain available until expended.

Delegates' expenses to Washington.

Confederated Bands of Utes.
Uintah and Ouray agency, general counsel.

For pay of General Counsel, Confederated Bands of Ute Indians in the Uintah and Ouray agency, Utah (tribal funds): The Secretary of the Interior is authorized to expend the sum of $3,000 or so much thereof as may be necessary, from the tribal funds of the Confederated Bands of Ute Indians of the Uintah and Ouray agency, Utah, in the Treasury of the United States, upon proper vouchers approved by him, for services rendered by general counsel under a contract approved by the Commissioner of Indian Affairs and the Secretary of the Interior.

Mrs. Earl H. Smith.
Payment to.
49 Stat., 2246; post, 502.

Payment to Mrs. Earl H. Smith: For payment to Mrs. Earl H. Smith, administratrix of the estate of Earl H. Smith, as authorized by the act of April 10, 1936 (Private, 448, 74th Cong.) fiscal year 1937, $504.41.

Annette Islands Reserve, Alaska.
Reappropriation.
48 Stat., 1227; ante, 387.

Expenses, Annette Islands Reserve, Alaska (Receipt Limitation): The unexpended balance of the appropriation "Annette Islands Reserve, Alaska, fund from leases", which appropriation was repealed by Section 4 (b6) of the Permanent Appropriation Repeal Act, 1934, is hereby made available for obligations incurred against such appropriation prior to July 1, 1935, and any unobligated balance of such repealed appropriation shall be added to and become a part of the receipts accruing during the fiscal year 1936.

* * * * * * *

AUDITED CLAIMS

Audited claims.

Payment of.

18 Stat., 110.
U. S. C., p. 1410.

SEC. 4. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as

permanent, being for the service of the fiscal year 1933 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in House Document Numbered 466, Seventy-fourth Congress, there is appropriated as follows:

23 Stat., 254.
U. S. C., p. 59.

* * * * * * *

Department of the Interior.

Department of the Interior: For general expenses, Indian Service, $30.

For purchase and transportation of Indian supplies, $49.51.

For Coolidge Dam across canyon of Gila River, near San Carlos, Arizona (reimbursable), $25.

For agriculture and stock raising among Indians, $75.26.

For conservation of health among Indians, $76.

For pay of judges, Indian courts, $10.66.

* * * * * * *

Additional audited claims.
Payment of.

(b) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1933 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in Senate Document Numbered 222, Seventy-fourth Congress, there is appropriated as follows:

18 Stat., 110.
U. S. C., p. 1410.

U. S. C., p. 59.

* * * * * * *

Department of the Interior.

Department of the Interior: For purchase and transportation of Indian supplies, $5.40.

For suppressing liquor traffic among Indians, $146.48.

For reclaiming lands, Lummi Reservation, Washington (reimbursable), $15.72.

* * * * * * *

Approved, June 22, 1936.

June 22, 1936.
[H. R. 10630.]
49 Stat., 1757.

CHAP. 691.—An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1937, and for other purposes

Interior Department appropriations, fiscal year 1937.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1937, namely:

Secretary's office.

OFFICE OF THE SECRETARY

* * * * * * *

Department contingent expenses.

CONTINGENT EXPENSES, DEPARTMENT OF THE INTERIOR

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Professional, etc., books, periodicals, etc.

For the purchase or exchange of professional and scientific books, law and medical books, and books to complete broken sets, periodicals, directories, and other books of reference relating to the business of the Department, $600, and in addition there is hereby made available from any appropriations made for any bureau or office of the Department not to exceed the following respective sums: Indian Service, $500; Office of Education, $2,000; Bureau of Reclamation, $2,000; Geological

Sums for designated offices.

Survey, $2,500; National Park Service, $2,000; General Land Office, $500; Bureau of Mines, $2,500.

* * * * * * *

GENERAL LAND OFFICE

General Land Office.

* * * * * * *

Oil and gas royalties.
Payment to Oklahoma.
42 Stat., 1448.
U. S. C., p. 1350.

Payment to Oklahoma from royalties, oil and gas, south half of Red River: For payment of 37½ per centum of the royalties derived from the south half of Red River in Oklahoma under the provisions of the Act of March 4, 1923 (U. S. C., title 30, sec. 233), which shall be paid to the State of Oklahoma in lieu of all State and local taxes upon tribal funds accruing under said Act, to be expended by the State in the same manner as if received under section 35 of the Act approved February 25, 1920 (U. S. C., title 30, sec. 191), $11,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

41 Stat., 450.
U. S. C., p. 1344.

Proviso.
Limitation.
48 Stat., 1227; ante, 389.

BUREAU OF INDIAN AFFAIRS

Indian Affairs Bureau.

SALARIES

Commissioner and office personnel.

For the Commissioner of Indian Affairs and other personal services in the District of Columbia, $493,770.

GENERAL EXPENSES

General expenses.

Traveling, etc., expenses.

Radio, etc., tolls.

For transportation and incidental expenses of officers and clerks of the Bureau of Indian Affairs when traveling on official duty; for radio, telegraph, and telephone toll messages on business pertaining to the Indian Service sent and received by the Bureau of Indian Affairs at Washington, and for other necessary expenses of the Indian Service for which no other appropriation is available, $34,000.

Supplies; purchase, transportation, etc.

For advertising, inspection, storage, and all other expenses incident to the purchase of goods and supplies for the Indian Service and for payment of railroad, pipe-line, and other transportation costs of such goods and supplies, $685,000: *Provided*, That no part of this appropriation shall be used in payment for any services except bill therefore is rendered within one year from the time the service is performed.

Proviso.
Restriction on payments.

Judges, Indian courts.

For pay of judges of Indian courts where tribal relations now exist, at rates to be fixed by the Commissioner of Indian Affairs, $15,000.

Police.

For pay and expenses of Indian police, including chiefs of police at not to exceed $100 per month each and privates at not to exceed $75 per month each, to be employed in maintaining order, and for purchase of equipment and supplies, $117,390.

Suppressing liquor, etc., traffic.

For the suppression of the traffic in intoxicating liquors, marihuana, and deleterious drugs among Indians, $75,000.

Agency buildings.
Lease, purchase, repair, etc.

For lease, purchase, repair, and improvement of agency buildings, exclusive of hospital buildings, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $159,200, of which amount $10,000 shall be immediately available.

Tribal organizations, expenses.

For expenses of organizing Indian chartered corporations, or other tribal organizations, in accordance with the provisions of the Act of

48 Stat., 986; ante, 379.
U. S. C., p. 1032.

June 18, 1934 (48 Stat., p. 986), including personal services, purchase of equipment and supplies, not to exceed $10,000 for printing and binding, and other necessary expenses, $160,000, of which not to exceed $41,060 may be used for personal services in the District of Columbia.

Vehicles, maintenance, etc.

Vehicles, Indian Service: Not to exceed $290,000 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for the use of employees in the Indian field service, and the transportation of Indian school pupils, and not to exceed $160,000 of applicable appropriations may be used for the purchase and exchange of motor-propelled passenger-carrying vehicles, and such vehicles shall be used only for official service, including the transportation of Indian school pupils.

Transporting Indian pupils.

Use restricted.

Emergency replacement of property.

Replacement of property destroyed by fire, flood, or storm: That to meet possible emergencies not exceeding $35,000 of the appropriations made by this Act for support of reservation and nonreservation schools, for school and agency buildings, and for conservation of health among Indians shall be available, upon approval of the Secretary of the Interior, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Indian Service above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: *Provided*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Proviso.
Report of diversions to Congress.

Attendance at meetings.

Authorization for attending health and educational meetings: Not to exceed $7,000 shall be available from applicable funds for expenses (not membership fees) of employees of the Indian Service when authorized by the Secretary of the Interior to attend meetings of medical, health, educational, agricultural, forestry, engineering, and industrial associations in the interest of work among the Indians.

Indian lands.

INDIAN LANDS

Pueblo Indians, N. Mex.
Land and water rights, etc.
Reappropriation from tribal funds.
49 Stat., 182; ante, 408.

Purchase of land and water rights, and so forth, Pueblo Indians, New Mexico (tribal funds): The unexpended balances of appropriations heretofore made, from the trust funds of the several pueblos, for the purchase of land and water rights, purchase of equipment for industrial advancement and fencing, irrigating, and improving lands, are hereby continued available for the same purposes until June 30, 1937.

Pueblo Indians, N. Mex., compensation to.

Compensation to Pueblo Indians, New Mexico: For the first of three installments for additional compensation to the Pueblo Indians of New Mexico, for loss of land and water rights, and in settlement of the liability of the United States to said Pueblos as declared by the Act of June 7, 1924 (43 Stat., p. 636), and as authorized by the Act of May 31, 1933 (48 Stat., p. 109), $253,960.61, which amount shall be deposited in the Treasury of the United States to the credit of the following-named pueblos:

43 Stat., 636, vol. 4, 454. 48 Stat., 109; ante, 336.

Pueblos designated.

Jemez, $628.33; Nambe, $15,813.17; Taos, $28,235.70; Santa Ana, $969.46; Santo Domingo, $1,418.85; Sandia, $4,326.87; San Felipe, $4,984.84; Isleta, $15,917.10; Picuris, $22,191.47; San Ildefonso, $12,352.76; San Juan, $51,287.68; Santa Clara, $60,371.39; Cochiti, $12,608.79; Pojoaque, $22,854.20: *Provided*, That expenditures may be made from the foregoing sums, as authorized by the Act of May 31, 1933, for the purchase of lands and water rights, purchase or construction of reservoirs, irrigation works, or other permanent improvements upon or for the benefit of the lands of said pueblos.

Proviso.
Acquisition of lands, water rights, etc.

Payment to Sioux Indians for failure to receive allotments: For payment to various Sioux Indians, or their heirs, on account of allotments of land to which they were entitled but did not receive, and for compensation to attorneys for services performed, all as authorized by the Act of June 14, 1935 (49 Stat., p. 340), $81,540.49, to remain available until expended.

Sioux Indians failing to receive allotments, payment to.

49 Stat., 340; ante, 431.

Compensation to Chippewa Indians of Minnesota for certain lands patented to the State of Minnesota under the Swamp Land Act: For payment, as authorized by the Act of June 4, 1935 (49 Stat., p. 321), to the Chippewa Indians of Minnesota in full compensation for one hundred and seventy-eight thousand five hundred and thirty and ten one-hundredths acres of land embraced within the reservations established by the treaties of March 11, 1863 (12 Stat., p. 1249), May 7, 1864 (13 Stat., p. 693), and March 19, 1867 (16 Stat., p. 719), for the future homes of said Indians, and later patented to the State of Minnesota under the provisions of the amendatory Swamp Land Act of March 12, 1860 (12 Stat., p. 3), without compensation to said Indians, $223,162.62, which shall be credited immediately to the trust fund of said Chippewa Indians of Minnesota arising under the provisions of section 7 of the Act of January 14, 1889 (25 Stat., p. 645), and shall bear interest in accordance with said Act of 1889.

Chippewas of Minnesota.
Payment for certain treaty lands.
49 Stat., 321; ante, 424.

12 Stat., 1249, vol. 2, 839; 13 Stat., 693, vol. 2, 862; 16 Stat., 719, vol. 2, 974.

12 Stat., 3.
Credit to tribal trust fund.

25 Stat., 645, vol. 1, 305.

Compensation to non-Indian claimants, Pueblo Indian lands, New Mexico: For carrying out the provisions of the Act of August 26, 1935 (49 Stat., p. 800), in supplemental settlement of the liability of the United States to non-Indian claimants on Indian Pueblo grants whose claims, extinguished under the Act of June 7, 1924, have been found entitled to awards under said Act, as supplemented by the Act of May 31, 1933 (48 Stat., p. 108), $45,377.33, to remain available until June 30, 1938, to be apportioned to claimants within the several pueblos as follows: Isleta, $1,876.72; San Ildefonso, $9,371.52; San Juan, $23,122.83; Santa Clara, $2,810.69; Pojoaque, $2,474.13; Nambe, $1,985; Sandia, $368.90; Picuris, $278.64; Cochiti, $1,088.90; Jemez, $2,000: *Provided*, That the unexpended balance of the appropriation contained in the Fourth Deficiency Act, fiscal year 1933, and subsequently continued available until June 30, 1936, for carrying out the provisions of the Act of May 31, 1933, is hereby continued available until June 30, 1937.

Pueblos in New Mexico.
Non-Indian claimants.
49 Stat., 800; ante, 442.
43 Stat., 636, vol. 4, 454.
Awards.
48 Stat., 108; ante, 336.
Apportionment.

Proviso.
Balance available.
48 Stat., 277; ante, 341.
48 Stat., 109; ante, 337.
49 Stat., 183; ante, 408.

Purchase of land for the Navajo Indians, Arizona, reimbursable: The unexpended balance of the appropriation contained in the Deficiency Appropriation Act, fiscal year 1934, for the purchase of land, and improvements thereon, including water rights, for the Navajo Indians in Arizona, as authorized by and in conformity with the provisions of the Act of June 14, 1934 (48 Stat., p. 961), is hereby continued available for the same purposes until June 30, 1937.

Navajo Indians, Ariz.
Purchase of lands.
Reappropriation.
48 Stat., 1033; ante, 384.

48 Stat., 961; ante, 348.

Leasing of lands for Navajo Indians (tribal funds): For lease, pending purchase, of land and water rights for the use and benefit of Indians of the Navajo Tribe in Arizona and New Mexico, $20,000, payable from funds on deposit to the credit of the Navajo Tribe.

Leasing lands and water rights.

For the acquisition of lands, interest in lands, water rights and surface rights to lands, and for expenses incident to such acquisition, in accordance with the provisions of the Act of June 18, 1934 (48 Stat., p. 985), including personal services, purchase of equipment and supplies, and other necessary expenses, $1,000,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1936, of which not to exceed $30,540 shall be available for personal services in the District of Columbia: *Provided*, That within the States of Arizona, New Mexico and Wyoming no part of said sum shall be used for the acquisition of lands outside of the boundaries of existing

Acquisition of lands, etc.

48 Stat., 984; ante, 378.

Balance reappropriated.
49 Stat., 183; ante, 408.

Provisos.
Use outside reservations restricted.

Contracts.

Indian reservations: *Provided further*, That in addition to the amount herein appropriated the Secretary of the Interior may also incur obligations, and enter into contracts for the acquisition of additional land, not exceeding a total of $1,000,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for the acquisition of land pursuant to the authorization contained in the Act of June 18, 1934, shall be available for the purpose of discharging the obligation or obligations so created.

Industrial assistance and advancement.

INDUSTRIAL ASSISTANCE AND ADVANCEMENT

Timber preservation, etc.

For the preservation of timber on Indian reservations and allotments other than the Menominee Indian Reservation in Wisconsin, the education of Indians in the proper care of forests, and the general administration of forestry and grazing work, including fire prevention and payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires, or taking or otherwise destroying timber, in contravention of law on Indian lands, $260,000: *Provided*, That this appropriation shall be available for the expenses of administration of Indian forest lands from which timber is sold to the extent only that proceeds from the sales of timber from such lands are insufficient for that purpose.

Proviso.
Forest lands, administration from proceeds of sales, etc.

Timber sales, etc., expenses; reimbursable.

For expenses incidental to the sale of timber, and for the expenses of administration, including fire prevention, of Indian forest lands from which such timber is sold to the extent that the proceeds of such sales are sufficient for that purpose, $120,000, reimbursable to the United States as provided in the Act of February 14, 1920 (U. S. C., title 25, sec. 413): *Provided*, That this appropriation shall be available for the payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires, or taking or otherwise destroying timber, in contravention of law.

41 Stat., 415, vol. 4, 238.
U. S. C., p. 1029.

Proviso.
Rewards for information.

Suppression, etc., of forest fires.

For the suppression or emergency prevention of forest fires on or threatening Indian reservations, $15,000, together with $25,000 from funds held by the United States in trust for the respective tribes of Indians interested: *Provided*, That not to exceed $50,000 of appropriations herein made for timber operations and for support and administration purposes may be transferred, upon the approval of the Secretary of the Interior, for fire-suppression or emergency prevention purposes, and allotments of funds so transferred shall be made by the Secretary of the Interior only after the obligation for the expenditure has been incurred: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Provisos.
Additional sums available.

Report of diversions to Congress.

Geological Survey.
Transfer of sum to, for supervising mining operations, etc.

For transfer to the Geological Survey for expenditures to be made in inspecting mines and examining mineral deposits on Indian lands and in supervising mining operations on restricted, tribal, and allotted Indian lands leased under the provisions of the Acts of February 28, 1891 (U. S. C., title 25, secs. 336, 371, 397), May 27, 1908 (35 Stat., p. 312), March 3, 1909 (U. S. C., title 25, sec. 396) and other Acts authorizing the leasing of such lands for mining purposes, $65,000.

26 Stat. 794, vol. 1, 56. 35 Stat., 312, 444, 783, vol. 3, 351, 356, 390, 444, 683.
U. S. C., p. 1025.

Employment for Indians.

For the purpose of obtaining remunerative employment for Indians, $40,750.

Agriculture and stock raising.

For the purpose of developing agriculture and stock raising among the Indians, including necessary personnel, traveling and other expenses, and purchase of supplies and equipment, $600,220, of which not to exceed $15,000 may be used to conduct agricultural experiments and demonstrations on Indian school or agency farms and to

Agricultural experiments and demonstrations.

maintain a supply of suitable plants or seed for issue to Indians, and not to exceed $30,000 may be used for the operation and maintenance of a sheep-breeding station on the Navajo Reservation.

Navajo sheep-breeding station.

For the purpose of encouraging industry and self-support among the Indians and to aid them in the culture of fruits, grains, and other crops, $165,000, which sum may be used for the purchase of seeds, animals, machinery, tools, implements, and other equipment necessary, and for advances to Indians having irrigable allotments to assist them in the development and cultivation thereof, in the discretion of the Secretary of the Interior, to enable Indians to become self-supporting: *Provided*, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1942, except in the case of loans on irrigable lands for permanent improvement of said lands, in which the period for repayment may run for not exceeding twenty years, in the discretion of the Secretary of the Interior: *Provided further*, That not to exceed $25,000 of the amount herein appropriated shall be expended on any one reservation or for the benefit of any one tribe of Indians: *Provided further*, That the Secretary of the Interior is hereby authorized, in his discretion and under such rules and regulations as he may prescribe, to make advances from this appropriation to old, disabled, or indigent Indian allottees, for their support, to remain a charge and lien against their lands until paid: *Provided further*, That not to exceed $15,000 may be advanced to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe.

Encouraging industry, etc., among Indians.

Provisos.
Conditions for repayment.

Loans on irrigable lands.

Limitation.

Advances to old, etc., allottees.

Advances to young students; repayment.

Industrial assistance (tribal funds): For the construction of homes for individual members of the tribes; the purchase for sale to them of seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support, and Indians having irrigable allotments to assist them in the development and cultivation thereof, to be immediately available, $356,000, payable from tribal funds as follows: Fort Yuma, California, $10,000; Fort Hall, Idaho, $25,000; Blackfeet, Montana, $5,000; Flathead, Montana, $15,000; Rocky Boy, Montana, $8,000; Tongue River, Montana, $10,000; Omaha, Nebraska, $8,000; Summit Lake, Nevada, $4,000; Western Shoshone, Nevada, $15,000; Mescalero, New Mexico, $10,000; Standing Rock, North Dakota, $20,000; Klamath, Oregon, $25,000; Cheyenne River, South Dakota, $50,000; Pine Ridge, South Dakota, $10,000; Rosebud, South Dakota, $10,000; Colville, Washington, $25,000; Puyallup, Washington, $10,000; Quinaielt, Washington, $25,000; Neah Bay, Washington, $20,000; Spokane, Washington, $6,000; Yakima, Washington, $25,000; Bad River, Wisconsin, $5,000; Lac du Flambeau, Wisconsin, $15,000; and the unexpended balances of funds available under this head in the Interior Department Appropriation Act for the fiscal year 1936, and the Act of June 27, 1932 (47 Stat., p. 335), are hereby continued available during the fiscal year 1937: *Provided*, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1942, except in the case of loans on irrigable lands for permanent improvement of said lands in which the period for repayment may run for not exceeding twenty years, in the discretion

Industrial assistance.
Constructing homes, purchase of seed, equipment, etc.

Advances to old, etc., Indians.

Allotments.

Funds available.

49 Stat., 185; ante, 409.
47 Stat., 335; ante, 288.

Provisos.
Conditions for repayment.

Loans on irrigable lands.

of the Secretary of the Interior, and advances to old, disabled, or indigent Indians for their support, which shall remain a charge and lien against their land until paid: *Provided further*, That advances may be made to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions and advances so made shall be reimbursed in not to exceed eight years under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That all moneys reimbursed during the fiscal year 1937 shall be credited to the respective appropriations and be available for the purposes of this paragraph.

Advances to young students.

Reimbursement.

Credits and availability.

For an additional amount to be added to the appropriation of $2,500,000 contained in the Interior Department Appropriation Act, fiscal year 1936, for the establishment of a revolving fund for the purpose of making loans to Indian chartered corporations, in accordance with the Act of June 18, 1934 (48 Stat., p. 986), $980,000, of which amount not to exceed $65,000 shall be available for personal services in the District of Columbia and in the field, for purchase of equipment and supplies, and for other necessary expenses of administering such loans.

Revolving fund for loans to Indian corporations.
49 Stat., 185; ante, 409.
48 Stat., 986; ante, 379.

For the development of Indian arts and crafts, as authorized by the Act of August 27, 1935 (49 Stat., p. 891), including personal services, purchase of equipment and supplies, not to exceed $2,500 for printing and binding, and other necessary expenses, to be immediately available, $42,500, of which not to exceed $18,000 shall be available for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be used to pay any salary at a rate exceeding $7,500 per annum.

Indian arts and crafts.
49 Stat., 891; ante, 445.

Proviso.
Salary restriction.

DEVELOPMENT OF WATER SUPPLY

Water supply.

Developing water supply: For developing and conserving water for domestic and stock purposes on lands of the Navajo and Hopi Indians in Arizona and New Mexico, and Papago Indians in Arizona, and the Pueblo Indians of New Mexico, including the purchase and installation of pumping machinery, and other necessary equipment, and for operation and maintenance thereof, $70,000.

Developing and conserving, in Arizona and New Mexico.

IRRIGATION AND DRAINAGE

Irrigation and drainage.

For the construction, repair, and maintenance of irrigation systems, and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian reservations and allotments; for operation of irrigation systems or appurtenances thereto when no other funds are applicable or available for the purpose; for drainage and protection of irrigable lands from damage by floods or loss of water rights, upon the Indian irrigation projects named below, in not to exceed the following amounts, respectively:

Construction, maintenance, etc.

Allotments.

Miscellaneous projects, $17,000; Arizona: Ak Chin, $4,000; Chiu Chui, $4,000; Ganado, $1,500, together with $1,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; Navajo and Hopi, miscellaneous projects, Arizona and New Mexico, $6,500; Salt River, $5,000; San Xavier, $2,000; California: Coachella Valley, $1,000; Morongo, $4,000; Pala and Rincon, $2,000, together with $2,000, from which expenditures shall not exceed the aggregate receipts covered into the Treasury in accord-

ance with section 4 of said Repeal Act; Colorado: Southern Ute, $10,000, together with $5,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the said Repeal Act; Nevada: Pyramid Lake, $3,000; Walker River, $5,000; Western Shoshone, $4,000; New Mexico: Miscellaneous Pueblos, $4,000; Zuni, $4,000; Washington: Colville, $3,500, together with $500, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said Repeal Act; Lummi Diking Project, $1,000, together with $2,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said Repeal Act;

Limitation on expenditures.
48 Stat., 1227; ante, 389.

For necessary miscellaneous expenses incident to the general administration of Indian irrigation projects, including pay of employees and their traveling and incidental expenses, $60,000;

Administrative expenses.

In all, for irrigation on Indian reservations, not to exceed $152,000, reimbursable: *Provided*, That the foregoing amounts shall be available intechangeably, in the discretion of the Secretary of the Interior, for the necessary expenditures for damages by floods and other unforeseen [1] exigencies, but the amount so interchanged shall not exceed in the aggregate 10 per centum of all the amounts so appropriated: *Provided further*, That the cost of irrigation projects and of operating and maintaining such projects where reimbursement thereof is required by law shall be apportioned on a per-acre basis against the lands under the respective projects and shall be collected by the Secretary of the Interior as required by such law, and any unpaid charges outstanding against such land shall constitute a first lien thereon which shall be recited in any patent or instrument issued for such lands.

Total; reimbursable.
Provisos.
Amounts interchangeable.
Limitation.
Apportioning costs on per-acre basis.
Unpaid charges a first lien.

For operation and maintenance of the San Carlos project for the irrigation of lands in the Gila River Indian Reservation, Arizona, $98,750, reimbursable, together with $99,250 (operation and maintenance collections) and $106,000 (power revenues), of which latter sum not to exceed $25,000 shall be available for major repairs in case of unforeseen emergencies caused by fire, flood, or storm, from which amounts of $99,250 and $106,000, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, $304,000.

San Carlos project, Ariz.
Maintenance, etc.
Limitation.
48 Stat., 1227; ante, 389.

For improvement, operation, and maintenance of the pumping plants and irrigation system on the Colorado River Indian Reservation, Arizona, as provided in the Act of April 4, 1910 (36 Stat., p. 273), $17,000, reimbursable, together with $17,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Colorado River Reservation, Ariz.
Irrigating tribal lands.
36 Stat., 273, vol. 3, 432.
48 Stat., 1227; ante, 389.

Operation and maintenance, pumping plants, San Carlos Reservation, Arizona (tribal funds): For the operation and maintenance of pumping plants for the irrigation of lands on the San Carlos Reservation, in Arizona, $5,000, to be paid from the funds held by the United States in trust for the Indians of such reservation: *Provided*, That the sum so used shall be reimbursed to the tribe by the Indians benefited, under such rules and regulations as the Secretary of the Interior may prescribe.

San Carlos Reservation, Ariz.
Irrigating tribal lands.
Proviso.
Reimbursement.

For reclamation and maintenance charges on Indian lands within the Yuma Reservation, California, and on ten acres within each

Yuma Reservation, Calif.-Ariz.
Reclamation, etc., charges.

[1] So in original.

of the eleven Yuma homestead entries in Arizona under the Yuma reclamation project, $14,000, reimbursable, together with $4,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Hall system, Idaho.
Maintenance, etc.

For improvements, maintenance, and operation of the Fort Hall irrigation system, Idaho, $20,000, together with $25,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Belknap Reservation, Mont.
Irrigating tribal lands.

For maintenance and operation, repairs, and purchase of stored waters, irrigation systems, Fort Belknap Reservation, Montana, $14,800, reimbursable, together with $4,200 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Peck project, Mont.
Maintenance, etc.

For maintenance and operation of the several units of the Fort Peck project, Montana, including not to exceed four thousand acres under the West Side Canal of the Poplar River Division, $7,000, reimbursable, together with $3,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Flathead Reservation, Mont.
Irrigating tribal lands.

For operation and maintenance of the irrigation systems on the Flathead Indian Reservation, Montana, $12,000, reimbursable, together with $80,000 (operation and maintenance collections) and $45,000 (power revenues), from which amounts of $80,000 and $45,000, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, $137,000.

Crow Reservation, Mont.
Operating, etc., irrigation systems.

For improvement, maintenance, and operation of the irrigation systems on the Crow Reservation, Montana, including maintenance assessments payable to the Two Leggins Water Users' Association and Bozeman Trail Ditch Company, Montana, properly assessable against lands allotted to the Indians and irrigable thereunder, $10,000, reimbursable, together with $30,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Reimbursable.

48 Stat., 1227; ante, 389.

Newlands project, Nev.
Paying charges against Paiute lands.

For payment of annual installment of reclamation charges against Paiute Indian lands within the Newlands reclamation project, Nevada, $5,381; and for payment in advance, as provided by district law, of operation and maintenance assessments, including assessments for the operation of drains to the Truckee-Carson irrigation district, which district, under contract, is operating the Newlands reclamation project, $7,033, to be immediately available; in all, $12,414.

Navajo Reservation, N. Mex.
Hogback project, maintenance, etc.

For operation and maintenance of the Hogback irrigation project on that part of the Navajo Reservation in New Mexico under the jurisdiction of the Northern Navajo Agency, $15,000, reimbursable, together with $5,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fruitlands project.
Maintenance, etc.

For maintenance and operation of the Fruitlands irrigation project, Navajo Reservation, New Mexico, $14,000, reimbursable, together with $4,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Middle Rio Grande conservancy district, N. Mex.

For operation and maintenance assessments on newly reclaimed Indian lands within the Middle Rio Grande conservancy district, New

Mexico, $11,250, or so much thereof as may be necessary, reimbursable.

Maintenance, etc.

Irrigation systems, Klamath Reservation, Oregon: For improvements, maintenance, and operation of miscellaneous irrigation projects on the Klamath Reservation, $2,000, to be paid from the funds held by the United States in trust for the Klamath Indians in the State of Oregon, said sum, or such part thereof as may be used, to be reimbursed to the tribe under such rules and regulations as the Secretary of the Interior may prescribe, together with $2,000 from the general fund of the Treasury, from which amount expenditures shall not exceed the aggregate receipts from operation and maintenance collections on the Sand Creek unit covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Klamath Reservation, Oreg.
Maintenance, etc., of projects.

Reimbursable.

Sand Creek unit.

For continuing operation and maintenance and betterment of the irrigation system to irrigate allotted lands of the Uncompahgre, Uintah, and White River Utes in Utah, authorized under the Act of June 21, 1906 (34 Stat., p. 375), $20,000, reimbursable, together with $38,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Uncompahgre, Uintah, and White River Utes, Utah.
Irrigating tribal lands.
34 Stat., 375, vol. 3, 242.

For operation and maintenance of the Wapato irrigation and drainage system, and auxiliary units thereof, Yakima Indian Reservation, Washington, $1,000, reimbursable, together with $140,000 (collections from the water users on the Wapato-Satus, Toppenish-Simcoe, and Ahtanum units), from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Yakima Reservation, Wash.
Wapato system, maintenance, etc.

For reimbursement to the reclamation fund the proportionate expense of operation and maintenance of the reservoirs for furnishing stored water to lands in the Yakima Indian Reservation, Washington, in accordance with the provisions of section 22 of the Act of August 1, 1914 (38 Stat., p. 604), $11,000.

Water payments.

38 Stat., 604, vol. 4, 29.

For operation and maintenance of irrigation systems within the ceded and diminished portions of the Wind River Reservation, Wyoming, including the Indians' pro-rata share of the cost of operation and maintenance of the Riverton-Le Clair irrigation district, the Big Bend drainage district on the ceded reservation, and for payment of the Indians' pro-rata share of the cost of operation and maintenance of the Big Bend drainage district for the years 1925 to 1933, inclusive, in accordance with the terms of a contract between the United States and said district dated September 22, 1931, $32,000, reimbursable, together with $15,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Wind River Reservation, Wyo.
Irrigating tribal lands.

Riverton-Le Clair district.

Big Bend district, 1925 to 1933.

Reimbursable.

48 Stat., 1227; ante, 389.

For the construction, repair, and rehabilitation of irrigation systems on Indian reservations; for the purchase or rental of equipment, tools, and appliances; for the acquisition of rights-of-way, and payment of damages in connection with such irrigation systems; for the development of domestic and stock water and water for subsistence gardens; for the purchase of water rights, ditches, and lands needed for such projects; and for drainage and protection of irrigable lands from damage by floods or loss of water rights, as follows:

Irrigation and drainage.
Construction, maintenance, etc.

Allotments.

Arizona: Havasupai, $5,000, reimbursable; Hopi, $50,000, reimbursable; Navajo, $60,000, reimbursable; Ak Chin, $3,000, reimbursable; Navajo and Hopi (domestic and stock water), $45,000; Chiu Chui, $5,000, reimbursable; Papago (domestic and stock water), $26,400;

Arizona.

Montana: Fort Belknap, $12,000, reimbursable; Fort Peck, $100,000, reimbursable;

Montana.

Nevada.

Nevada: Fort McDermitt, $2,000, reimbursable; Moapa, $5,000, reimbursable; Summit Lake, $5,000, reimbursable; Walker River, $5,000, reimbursable; miscellaneous (garden tracts), $5,000;

New Mexico.

New Mexico: Navajo, $30,000, reimbursable; Pueblo, $100,000, reimbursable; Jicarilla, $13,000, reimbursable; Navajo and Pueblo (domestic and stock water), $50,000;

North Dakota.

North Dakota: Miscellaneous (domestic and stock water and garden tracts), $15,000;

Oklahoma.

Oklahoma: Miscellaneous (garden tracts), $16,000;

Oregon.

Oregon: Warm Springs, $10,000, reimbursable; miscellaneous (garden tracts), $5,000;

South Dakota.

South Dakota: Miscellaneous (domestic and stock water), $10,000;

Utah.

Utah: Uncompahgre, $10,000, reimbursable; Oljeto and Montezuma Creeks, $3,500, reimbursable; miscellaneous (garden tracts), $5,000;

Washington.

Washington: Lummi, $20,000, reimbursable; Makah (dikes and flood gates), $5,000, reimbursable; miscellaneous (domestic and stock water and garden tracts), $20,000;

Wisconsin.

Wisconsin: Miscellaneous (garden tracts), $5,000;

Wyoming.

Wyoming: Wind River, $85,000, reimbursable;

Administrative expenses.

For administrative expenses, including personal services in the District of Columbia and elsewhere, $50,000, of which amount $35,000 shall be reimbursable;

Provisos.
Amounts interchangeable.

In all, $780,900, to be immediately available: *Provided*, That the foregoing amounts may be used interchangeably in the discretion of the Secretary of the Interior, but not more than 10 per centum of any specific amount shall be transferred to any other amount, and no appropriation shall be increased by more than 15 per centum: *Provided further*, That when necessary the foregoing amounts may be used for subjugating lands for which irrigation facilities are being developed: *Provided further*, That the cost of the foregoing irrigation projects and of operating and maintaining such projects where reimbursement thereof is required by law, but not including the cost of domestic and stock water projects and of projects for the development of water for garden tracts, shall be apportioned on a per-acre basis against the lands under the respective projects and shall be collected by the Secretary of the Interior as required by such law, and any unpaid charges outstanding against such lands shall constitute a first lien thereon which shall be recited in any patent or instrument issued for such lands.

Subjugating lands, etc.
Basis of apportionment.

Unpaid charges a first lien.

EDUCATION

Education.

Support of schools.

For the support of Indian schools not otherwise provided for, and other educational and industrial purposes in connection therewith, including educational facilities authorized by treaty provisions, care of children of school age attending private schools, and tuition for Indian pupils attending public schools, $5,379,820: *Provided*, That not to exceed $15,000 of this appropriation may be used for the support and education of deaf and dumb or blind, physically handicapped, or mentally deficient Indian children: *Provided further*, That $4,500 of this appropriation may be used for the education and civilization of the Alabama and Coushatta Indians in Texas: *Provided further*, That $45,000 of this appropriation shall be available for subsistence of pupils in reservation and nonreservation boarding schools during summer months: *Provided further*, That not more than $15,000 of the amount herein appropriated may be expended for the tuition (which may be paid in advance) of Indian pupils attending vocational or higher educational institutions, under such

Provisos.
Deaf and dumb, blind, etc.

Alabamas and Coushattas, Tex.

Subsistence, boarding schools.

Vocational, etc., courses.

rules and regulations as the Secretary of the Interior may prescribe, but formal contracts shall not be required, for compliance with section 3744 of the Revised Statutes (U. S. C., title 41, sec. 16), for payment of tuition of Indian pupils attending public schools, higher educational institutions, or schools for the deaf and dumb, blind, physically handicapped, or mentally deficient.

Formal contracts not required.
R. S., sec. 3744, p. 738.
U. S. C., p. 1805.

Support of Indian schools from tribal funds: For the support of Indian schools, and other educational and industrial purposes in connection therewith, other than among the Five Civilized Tribes, there shall be expended from Indian tribal funds and from school revenues arising under the Act of May 17, 1926 (U. S. C., title 25, sec. 155), not more than $330,820, including not to exceed $63,750 for payment of tuition for Chippewa Indian children enrolled in public schools and care of children of school age attending private schools in the State of Minnesota, payable from the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota arising under section 7 of the Act of January 14, 1889 (25 Stat., p. 645).

Support of schools from tribal funds.
44 Stat., 560, vol. 4, 548.
U. S. C., p. 1005.
Chippewas of Minnesota.
25 Stat., 645, vol. 1, 305.

Education, Osage Nation, Oklahoma (tribal funds): For the education of unallotted Osage Indian children in the Saint Louis Mission Boarding School, Oklahoma, $2,000, payable from funds held in trust by the United States for the Osage Tribe.

Saint Louis Mission Boarding School, Okla.
Osage pupils.

For reimbursable loans to Indians for the payment of tuition and other expenses in recognized vocational and trade schools, including colleges and universities offering recognized vocational, trade, and professional courses, in accordance with the provisions of the Act of June 18, 1934 (48 Stat., p. 986), the unexpended balance of the appropriation for the fiscal year 1936 is continued available until June 30, 1937: *Provided*, That not more than $50,000 of such unexpended balance shall be available for loans to Indian students pursuing liberal-arts courses in high schools and colleges.

Vocational and trade schools; educational loans.
48 Stat., 986; ante, 379.
Balance reappropriated.
49 Stat., 190; ante, 414.
Proviso.
Liberal arts courses.

For lease, purchase, repair, and improvement of buildings at Indian schools not otherwise provided for, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $345,000.

School buildings.
Lease, improvement, etc.

Construction, enlargement, or improvement of public-school buildings: The unexpended balance of the appropriation of $931,000 contained in the Second Deficiency Appropriation Act, fiscal year 1935, for cooperation with public-school districts in the construction, enlargement, or improvement of local public elementary or high schools, including purchase of necessary equipment, as authorized by and in conformity with numerous Acts of the Seventy-fourth Congress approved June 7, 1935, and June 11, 1935, is hereby continued available for the same purposes and under the same conditions until June 30, 1937.

Public school buildings, construction, etc.
49 Stat., 584; ante, 438.
49 Stat., 327–331, 333, 336; ante, 425, 428, 429, 430.

The appropriation of $125,000 contained in the Second Deficiency Appropriation Act, fiscal year 1935, for cooperating with the public-school board, of Shannon County, South Dakota, for the construction of a consolidated public high-school building at Pine Ridge, South Dakota, is hereby made available until June 30, 1937, which amount shall be for expenditure by the Indian Service for the construction and equipment of a high-school building at Pine Ridge, South Dakota, the same to be used in conjunction with other educational facilities maintained by the Indian Service, and recoupment of this expenditure, as required by the provisions of the Act

Shannon County, S. Dak.
Appropriation continued available.
49 Stat., 584; ante, 438.
Recoupment waived.
49 Stat., 584; ante, 438.

Proviso.
White and Indian pupils.
49 Stat., 331; ante, 428.

of August 12, 1935 (49 Stat., p. 584), is hereby waived: *Provided*, That the school shall be conducted for both white and Indian children in accordance with the provisions of the Act of June 7, 1935 (49 Stat., p. 331).

Nonreservation boarding schools.
Support, etc., of designated.

For support and education of Indian pupils at the following nonreservation boarding schools in not to exceed the following amounts, respectively:

Phoenix, Ariz.

Phoenix, Arizona: For four hundred and seventy-five pupils, including not to exceed $1,500 for printing and issuing school paper, $168,625; for pay of superintendent, drayage, and general repairs and improvements, $25,000; in all, $193,625;

Sherman Institute, Riverside, Calif.

Sherman Institute, Riverside, California: For six hundred and fifty pupils, including not to exceed $1,000 for printing and issuing school paper, $221,000; for pay of superintendent, drayage, and general repairs and improvements, $22,000; in all, $243,000;

Haskell Institute, Lawrence, Kans.

Haskell Institute, Lawrence, Kansas: For six hundred and twenty-five pupils, including not to exceed $2,500 for printing and issuing school paper, $212,500; for pay of superintendent, drayage, and general repairs and improvements, including necessary drainage work, $24,000; in all, $236,500;

Pipestone, Minn.

Pipestone, Minnesota: For two hundred and seventy-five pupils, $89,625; for pay of superintendent, drayage, and general repairs and improvements, $15,000; in all, $104,625;

Carson City, Nev.

Carson City, Nevada: For five hundred and twenty-five pupils, $168,500; for pay of superintendent, drayage, and general repairs and improvements, $17,000; in all, $185,500;

Albuquerque, N. Mex.

Albuquerque, New Mexico: For six hundred pupils, $204,000; for pay of superintendent, drayage, and general repairs and improvements, $24,000; in all, $228,000;

Santa Fe, N. Mex.

Santa Fe, New Mexico: For four hundred pupils, $142,000; for drayage, and general repairs and improvements, $23,000; in all, $165,000;

Bismarck, N. Dak.

Bismarck, North Dakota: For one hundred and ten pupils, $39,850; for pay of superintendent, drayage, and general repairs and improvements, $12,500; in all, $52,350;

Wahpeton, N. Dak.

Wahpeton, North Dakota: For three hundred pupils, $97,250; for pay of superintendent, drayage, and general repairs and improvements, $13,000; in all, $110,250.

Chilocco, Okla.

Chilocco, Oklahoma: For six hundred and fifty pupils, including not to exceed $2,000 for printing and issuing school paper, $221,000; for pay of superintendent, drayage, and general repairs and improvements, $23,000; in all, $244,000;

Sequoyah Orphan Training School, Okla.

Sequoyah Orphan Training School, near Tahlequah, Oklahoma: For three hundred and fifty orphan Indian children of the State of Oklahoma belonging to the restricted class, to be conducted as an industrial school under the direction of the Secretary of the Interior, $114,250; for pay of superintendent, drayage, and general repairs and improvements, $13,000; in all, $127,250;

Carter Seminary, Okla.

Carter Seminary, Oklahoma: For one hundred and sixty-five pupils, $57,525; for pay of principal, drayage, and general repairs and improvements, $6,500; in all, $64,025;

Euchee, Okla.

Euchee, Oklahoma: For one hundred and fifteen pupils, $39,525; for pay of principal, drayage, and general repairs and improvements, $6,000; in all, $45,525;

Eufaula, Okla.

Eufaula, Oklahoma: For one hundred and forty pupils, $48,650; for pay of principal, drayage, and general repairs and improvements, $6,500; in all, $55,150;

Jones Academy, Oklahoma: For one hundred and seventy-five pupils, $61,125; for pay of principal, drayage, and general repairs and improvements, $6,500; in all, $67,625;

Jones Academy, Okla.

Wheelock Academy, Oklahoma: For one hundred and thirty pupils, $45,050; for pay of principal, drayage, and general repairs and improvements, $6,500; in all, $51,550;

Wheelock Academy, Okla.

Chemawa, Salem, Oregon: For three hundred pupils, including not to exceed $1,000 for printing and issuing school paper, $106,500; for local vocational-training program directed from the school, $20,500; for pay of superintendent, drayage, and general repairs and improvements, $17,000; in all, $144,000: *Provided*, That the unexpended balance of the appropriation of $60,000 for the fiscal year 1936 for pay of superintendent, drayage, and general repairs and improvements, including improvements to the heating system and shop facilities, is hereby continued available for the same purposes until June 30, 1937;

Chemawa, Salem, Oreg.

Proviso.
Unexpended balance available.
49 Stat., 191; ante, 415.

Flandreau, South Dakota: For four hundred and fifty pupils, $159,750; for pay of superintendent, drayage, and general repairs and improvements, $16,000; in all, $175,750;

Flandreau, S. Dak.

Pierre, South Dakota: For three hundred pupils, $97,750; for pay of superintendent, drayage, and general repairs and improvements, $15,000; in all, $112,750: *Provided*, That not more than $1,000 of the foregoing amount may be used for the acquisition of lands adjacent to this school;

Pierre, S. Dak.

Proviso.
Acquisition of adjacent lands.

In all, for above-named nonreservation boarding schools, not to exceed $2,606,475: *Provided*, That 10 per centum of the foregoing amounts shall be available interchangably for expenditures for similar purposes in the various boarding schools named, but not more than 10 per centum shall be added to the amount appropriated for any one of said boarding schools or for any particular item within any boarding school. Any such interchanges shall be reported to Congress in the annual Budget.

Total; nonreservation boarding schools.
Proviso.
Sums interchangeable.

Report to Congress.

For aid to the common schools in the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Nations and the Quapaw Agency in Oklahoma, $397,200, to be expended in the discretion of the Secretary of the Interior and under rules and regulations to be prescribed by him: *Provided*, That this appropriation shall not be subject to the limitation in section 1 of the Act of May 25, 1918 (U. S. C., title 25, sec. 297), limiting the expenditure of money to educate children of less than one-fourth Indian blood: *Provided further*, That of this appropriation not to exceed $2,500 may be expended in the printing and issuance of a paper devoted to Indian education, which paper shall be printed at an Indian school; not to exceed $10,000 may be expended under rules and regulations of the Secretary of the Interior, in part payment of truancy officers in any county or two or more contiguous counties where there are five hundred or more Indian children eligible to attend school, and not to exceed $10,000 may be expended in the discretion of the Secretary of the Interior for the payment of salaries of public-school teachers, employed by the State or county, in special Indian day schools in full-blood Indian communities, where there are not adequate white day schools available for their attendance.

Five Civilized Tribes, Okla.
Common schools.

Provisos.
Parentage limitation not applicable.
40 Stat., 564, vol. 4, 149; U. S. C., p. 1015.
Printing, etc., school paper.

Truancy officers.

Employing public-school teachers where facilities inadequate.

Natives in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for support and education of the Eskimos, Aleuts, Indians, and other natives of Alaska, including necessary traveling expenses of pupils to and from industrial boarding schools in Alaska; purchase, repair, and rental of school buildings, including purchase of necessary lands; textbooks and industrial apparatus; pay and necessary traveling expenses of

Alaska natives.

Miscellaneous expenses.

Relief of destitution.

Provisos.
Sums interchangeable.

Report to Congress.

superintendents, teachers, physicians, and other employees; repair, equipment, maintenance, and operation of vessels; and all other necessary miscellaneous expenses which are not included under the above special heads, including $338,380 for salaries, $19,500 for traveling expenses, $191,000 for equipment, supplies, fuel, and light, $25,000 for relief of destitution, $25,000 for repairs of buildings, $65,000 for freight and operation and repair of vessels, $1,000 for rentals, and $2,000 for telephone and telegraph; in all, $666,880, to be immediately available and to remain available until June 30, 1938: *Provided*, That not to exceed 10 per centum of the amounts appropriated for the various items in this paragraph shall be available interchangeably for expenditures on the objects included in this paragraph, but not more than 10 per centum shall be added to any one item of appropriation except in cases of extraordinary emergency and then only upon the written order of the Secretary of the Interior: *Provided further*, That a report shall be made to Congress covering expenditures from the amount herein provided for relief of destitution.

Conservation of health.

CONSERVATION OF HEALTH

Designated expenses.

Suppressing trachoma, etc.
Allotments to specified hospitals.

For conservation of health among Indians, including equipment, materials, and supplies; repairs and improvements to buildings and plants; compensation and traveling expenses of officers and employees and renting of quarters for them when necessary; transportation of patients and attendants to and from hospitals and sanatoria; returning to their former homes and interring the remains of deceased patients; and not exceeding $1,000 for printing and binding circulars and pamphlets for use in preventing and suppressing trachoma and other contagious and infectious diseases, $4,062,360, including not to exceed $2,935,360 for the following-named hospitals and sanatoria:

Arizona.

Arizona: Indian Oasis Hospital, $24,260; Kayenta Sanatorium, $50,000; Fort Defiance Sanatorium and Southern Navajo General Hospital, $111,000; Phoenix Sanatorium, $85,700; Pima Hospital, $27,600; Truxton Canyon Hospital, $14,000; Western Navajo Hospital, $38,300; Chin Lee Hospital, $15,000; Fort Apache Hospital, $29,700; Hopi Hospital, $40,000; Leupp Hospital, $27,800; San Carlos Hospital, $32,300; Tohatchi Hospital, $17,200; Colorado River Hospital, $23,000; San Xavier Sanatorium, $42,500; Phoenix Hospital, $37,200; Winslow Sanatorium, $45,000;

California.

California: Hoopa Valley Hospital, $25,000; Soboba Hospital, $22,000; Fort Bidwell Hospital, $24,600; Fort Yuma Hospital, $20,000;

Colorado.

Colorado: Ute Mountain Hospital, $15,000; Edward T. Taylor Hospital, $26,700;

Idaho.

Idaho: Fort Lapwai Sanatorium, $90,000; Fort Hall Hospitals, $17,000;

Iowa.

Iowa: Sac and Fox Sanatorium, $75,000;

Minnesota.

Minnesota: Pipestone Hospital, $22,500;

Mississippi.

Mississippi: Choctaw Hospital, $25,000;

Montana.

Montana: Blackfeet Hospital, $30,000; Fort Peck Hospital, $26,400; Crow Agency Hospital, $28,000; Fort Belknap Hospital, $30,000; Tongue River Hospital, $30,000;

Nebraska.

Nebraska: Winnebago Hospital, $48,000;

Nevada.

Nevada: Carson Hospital, $23,000; Walker River Hospital, $22,000; Western Shoshone Hospital, $15,000;

New Mexico.

New Mexico: Albuquerque Sanatorium, $100,000; Jicarilla Hospital and Sanatorium, $61,000; Mescalero Hospital, $24,000; Eastern Navajo Hospital, $32,000; Northern Navajo Hospital, $39,700; Taos

Hospital, $20,000; Zuni Sanatorium, $50,000; Albuquerque Hospital, $52,100; Charles H. Burke Hospital, $12,000; Santa Fe Hospital, $43,000; Toadlena Hospital, $12,000;

North Carolina.

North Carolina: Cherokee Hospital, $16,000;

North Dakota.

North Dakota: Turtle Mountain Hospital, $42,600; Fort Berthold Hospital, $16,000; Fort Totten Hospital, $24,000; Standing Rock Hospital, $30,000; Fort Totten Preventorium, $30,000, including $10,000 for improvements to the heating plant;

Oklahoma.

Oklahoma: Cheyenne and Arapahoe Hospital, $36,000; Choctaw and Chickasaw Sanatorium, $55,000; Shawnee Sanatorium, $100,000; Claremore Hospital, $76,300; Clinton Hospital, $18,000; Pawnee and Ponca Hospital, $34,000; Kiowa Hospital, $122,700;

Oregon.

Oregon: Warm Springs Hospital, $12,000;

South Dakota.

South Dakota: Crow Creek Hospital, $22,000; Pine Ridge Hospitals, $50,000; Rosebud Hospital, $30,600; Yankton Hospital, $15,000; Cheyenne River Hospital, $30,000; Sisseton Hospital, $35,000;

Utah.

Utah: Uintah Hospital, $30,000;

Washington.

Washington: Yakima Sanatorium, $40,000; Tacoma Sanatorium, $206,000; Tulalip Hospital, $11,000; Colville Hospital, $35,000;

Wisconsin.

Wisconsin: Hayward Hospital, $40,600; Tomah Hospital, $31,000;

Wyoming.

Wyoming: Shoshone, $25,000:

Provisos.
Sums interchangeable.

Provided, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures in the various hospitals named, but not more than 10 per centum shall be added to the amount appropriated for any one of said hospitals or for any particular item within any hospital, and any interchange of appropriations hereunder shall be reported to Congress in the annual Budget: *Provided further*, That nonreservation boarding schools receiving specific appropriations shall contribute on a per-diem basis for the hospitalization of pupils in hospitals located at such schools and supported from this appropriation.

Report to Congress.

Hospitalization of pupils.

Sioux Sanatorium, etc., S. Dak.
46 Stat., 1136; ante, 438.

Sioux Sanatorium and employees' quarters, South Dakota: That in addition to the $337,500 made available by the Second Deficiency Appropriation Act, fiscal year 1935, for the construction of an Indian sanatorium and employees' quarters, in South Dakota, a further sum of $29,875, representing the remainder of the original appropriation of $375,000 contained in the Interior Department Appropriation Act, fiscal year 1932, and not reappropriated by the Second Deficiency Appropriation Act, fiscal year 1935, is hereby reappropriated and made available until June 30, 1937, for the construction of such sanatorium and employees' quarters.

Sums reappropriated.
46 Stat., 1136; ante, 220.

Clinical surveys, etc., of disease conditions.

For clinical surveys and general medical research in connection with tuberculosis, trachoma, and venereal and other disease conditions among Indians, $20,000: *Provided*, That in conducting such survey the cooperation of such State and other organizations engaged in similar work shall be enlisted wherever practicable and where services of physicians, nurses, or other persons are donated their travel and other expenses may be paid from this appropriation.

Proviso.
Stat, etc., cooperation.

Chippewas in Minnesota.
Hospitals for, from tribal funds.

Support of hospitals, Chippewas in Minnesota (tribal funds): For support of hospitals maintained for the benefit of the Chippewa Indians in the State of Minnesota, $80,000, payable from the principal sum on deposit to the credit of said Indians arising under section 7 of the Act of January 14, 1889 (25 Stat., p. 645).

25 Stat., 645, vol. 1, 305.

Medical relief in Alaska.

Medical relief in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction through the Bureau of Indian Affairs, with the advice and cooperation of the Public Health Service, to provide for the medical and sanitary relief of the Eskimos,

Aleuts, Indians, and other natives of Alaska; purchase, repair, rental, and equipment of hospital buildings; books and surgical apparatus; pay and necessary traveling expenses of physicians, nurses, and other employees, and all other necessary miscellaneous expenses which are not included under the above special heads, $340,000, to be available immediately and to remain available until June 30, 1938.

Availability.

General support and administration.

GENERAL SUPPORT AND ADMINISTRATION

Sundry agencies and reservations.

For general support of Indians and administration of Indian property, including pay of employees authorized by continuing or permanent treaty provisions, $2,375,000, of which amount $10,000 shall be immediately available.

Metlakahtla Indians, Annette Islands Reserve, Alaska.

For pay of employees, village improvements, relief of destitution, and such other purposes as may be requested by the town council of Metlakahtla, Annette Islands Reserve, Alaska, and approved by the Secretary of the Interior, $50,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Proviso.
Limitation.
48 Stat., 1227; ante, 389.

Specified agencies, from tribal funds.

For general support of Indians and administration of Indian property under the jurisdiction of the following agencies, to be paid from the funds held by the United States in trust for the respective tribes, in not to exceed the following sums, respectively:

Arizona.

Arizona: Fort Apache, $50,000; San Carlos, $55,800; Truxton Canyon, $6,500; in all, $112,300;

California.

California: Mission, $5,000;

Idaho.

Idaho: Fort Hall, $4,800;

Iowa.

Iowa: Sac and Fox, $2,000;

Minnesota.

Minnesota: Red Lake, $36,500;

Montana.

Montana: Flathead, $16,000; Rocky Boy, $800; in all, $16,800;

North Carolina.

North Carolina: Cherokee, $25,000, together with the unexpended balance under this head for the fiscal year 1936;

Sum reappropriated.
49 Stat. 194; ante, 416.

Oklahoma.

Oklahoma: Quapaw (Seneca), $200; Shawnee (Iowa), $300; in all $500;

Oregon.

Oregon: Klamath, $69,000, of which $4,000 shall be available only for traveling and other expenses of members of the tribal council, or representatives of the tribe engaged on business of the tribe at the seat of government, and $10,000 shall be available in a permanent revolving fund for loans to cover burial expenses of members of the tribe, and payments in liquidation of such loans shall be credited to the revolving fund and shall be available for loans for similar purposes under regulations to be prescribed by the Secretary of the Interior;[1]

Revolving fund created.

South Dakota.

South Dakota: Cheyenne River, $42,500;

Utah.

Utah: Uintah and Ouray, $6,500;

Washington.

Washington: Puyallup, $1,000 for upkeep of the Puyallup Indian cemetery; Taholah (Quinaielt), $20,000; (Neah Bay), $26,000 ($4,000 for monthly allowances for care of old and indigent Indians, $3,500 for development of a cemetery site, and $1,000 for burial expenses); (Quileute), $2,000; (Hoh), $500; Yakima, $400; in all, $49,900;

Wisconsin.

Wisconsin: Keshena, $61,500, including $10,000 for monthly allowances, under such rules and regulations as the Secretary of the Interior may prescribe, to old and indigent members of the Menominee Tribe who reside with relatives or friends;

In all, not to exceed $432,300.

[1] 16 Comp. Gen. Dec., 268.

Support of Chippewa Indians in Minnesota (tribal funds): For general support, administration of property, and promotion of self-support among the Chippewa Indians in the State of Minnesota, $85,000, to be paid from the principal sum on deposit to the credit of said Indians, arising under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota", approved January 14, 1889 (25 Stat., p. 645): *Provided*, That not to exceed $40,000 of the foregoing amount may be expended, in the discretion of the Secretary of the Interior, in aiding indigent Chippewa Indians including boarding-home care of pupils attending public or high schools upon the condition that any funds used in support of a member of the tribe shall be reimbursed out of and become a lien against any individual property of which such member may now or hereafter become seized or possessed, the two preceding requirements not to apply to any old, infirm, or indigent Indian, in the discretion of the Secretary of the Interior.

Chippewas in Minnesota.
General support, from tribal funds.

25 Stat., 645, vol. 1, 305.

Proviso.
Aiding indigent, etc.

Expenses of tribal officers, Five Civilized Tribes, Oklahoma (tribal funds): For the current fiscal year money may be expended from the tribal funds of the Choctaw, Chickasaw, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, salaries and contingent expenses of the governor of the Chickasaw Nation and chief of the Choctaw Nation, one mining trustee for the Choctaw and Chickasaw Nations, at salaries at the rate heretofore paid for the said governor and said chief and $3,000 for the said mining trustee, chief of the Creek Nation at $600 for the current fiscal year to be expended from the tribal funds of the Creek Nation, and one attorney each for the Choctaw and Chickasaw Tribes employed under contract approved by the President under existing law: *Provided*, That the expenses of the above-named officials shall be determined and limited by the Commissioner of Indian Affairs, at not to exceed $2,500 each.

Five Civilized Tribes, Okla.
Expenses, etc., tribal officers.

Proviso.
Limitation.

For acquisition, rehabilitation, and preservation of the Tuskahoma Council House, in Pushmataha County, Choctaw Nation, Oklahoma, $7,500, or so much thereof as may be necessary, to be immediately available, payable from the fund "Fulfilling Treaties with Choctaws, Oklahoma," now to the credit of the Choctaw Indians of Oklahoma.

Tuskahoma Council House, Pushmataha County, Okla.
Acquisition, etc.

Fund available.

Support of Osage Agency and pay of tribal officers, Oklahoma (tribal funds): For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage Reservation, Oklahoma, including pay of necessary employees, the tribal attorney and his stenographer, one special attorney in tax and other matters, and pay of tribal officers; payment of damages to individual allottees; repairs to buildings, rent of quarters for employees, traveling expenses, printing, telegraphing, and telephoning, and purchase, repair, and operation of automobiles, $159,000, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma.

Osages, Okla.
Agency expenses, from tribal funds.

Expenses of tribal councils or committees thereof (tribal funds): For traveling and other expenses of members of tribal councils, business committees, or other tribal organizations, when engaged on business of the tribes, including visits to Washington, District of Columbia, when duly authorized or approved in advance by the Commissioner of Indian Affairs, $50,000, payable from funds on deposit to the credit of the particular tribe interested: *Provided*, That, except for the Navajo Tribe, not more than $5,000 shall be expended from the funds of any one tribe or band of Indians for the purposes herein specified: *Provided further*, That no part of this appropriation shall be available

Tribal councils, traveling, etc., expenses.

Provisos.
Limitation on expenditures.

Per diem, etc., limitation.

for per diem in lieu of all other expenses of members of tribal councils, business committees, or other tribal organizations, when in Washington, in excess of $6, nor for more than a thirty-day period, unless the Secretary of the Interior shall in writing approve a greater amount or a longer period.

Roads and bridges.

ROADS AND BRIDGES

Gallup-Shiprock Highway, N. Mex., maintenance, etc.

For maintenance and repair of that portion of the Gallup-Shiprock Highway within the Navajo Reservation, New Mexico, including the purchase of machinery, $20,000, reimbursable: *Provided*, That other than for supervision and engineering only Indian labor shall be employed for such maintenance and repair work.

Proviso. Indian labor.

Reservation road construction, etc. 45 Stat., 750; ante, 57. 48 Stat., 995; ante, 379. U. S. C., p. 1016.

For construction, improvement, repair, and maintenance of Indian reservation roads under the provisions of the Acts of May 26, 1928 (U. S. C., title 25, sec. 318a), and June 18, 1934 (48 Stat., p. 995), $3,500,000, to be immediately available and to remain available until expended: *Provided*, That not to exceed $8,000 of the foregoing amount may be expended for personal services in the District of Columbia.

Proviso. Services in the District.

Annuities and per-capita payments.

ANNUITIES AND PER-CAPITA PAYMENTS

Senecas, N. Y. 4 Stat., 442.

For fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831, 4 Stat., p. 442), $6,000.

Six Nations, N. Y. 7 Stat., 46, vol. 2, 36.

For fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), $4,500.

Choctaws, Okla. 7 Stat., 99, 212, 213, 236; vol. 2, 58, 87, 192, 211, 706. 11 Stat., 614, vol. 2, 709.

For fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty of June 22, 1855), $3,000; for permanent annuity for support for light horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), $600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $320; in all, $10,520.

Pawnees, Okla. 11 Stat., 729, vol. 2, 764. 27 Stat., 644, vol 1, 498.

For fulfilling treaties with Pawnees, Oklahoma: For permanent annuity (article 2, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), $30,000.

Indians of Sioux reservations. 25 Stat., 895, vol. 1, 328.

For payment of Sioux benefits to Indians of the Sioux reservations, as authorized by the Act of March 2, 1889 (25 Stat., p. 895), as amended, $190,000.

Saint Croix Chippewas, Wis. 41 Stat., 433, vol. 4, 260.

The unexpended balances of appropriations made for the benefit of the Saint Croix Chippewa Indians of Wisconsin by the Act of February 14, 1920 (41 Stat., p. 433), and subsequent Acts, is hereby made available for the purchase of material for the repair of homes, for the care of aged and indigent Indians of this band, and for other necessary purposes for their benefit.

Menominee Indians in Wisconsin. Per capita payments.

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States $105,000 of any funds on deposit to the credit of the Menominee Indians in Wisconsin (except the Menominee Log Fund), and to expend said sum, or so much thereof as may be necessary, for an immediate per capita payment of $50 to each enrolled member of the Menominee Tribe.

For payment of interest on moneys held in trust for the several Indian tribes, as authorized by various Acts of Congress, $475,000.

Interest on trust funds.

When, in the judgment of the Secretary of the Interior, it is necessary for accomplishment of the purposes of appropriations herein made for the Indian field service, such appropriations shall be available for purchase of ice, for rubber boots for use of employees, for travel expenses of employees on official business, and for the cost of packing, crating, drayage, and transportation of personal effects of employees upon permanent change of station.

Field service employees.
Funds for, available for supplies, etc.

The appropriations for education of natives of Alaska and medical relief in Alaska shall be available for the payment of traveling expenses of new appointees from Seattle, Washington, to their posts of duty in Alaska, and of traveling expenses, packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station within Alaska, under regulations to be prescribed by the Secretary of the Interior.

Funds available for traveling, etc., expenses.

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GEOLOGICAL SURVEY

Geological Survey.

* * * * * * *

Mineral leasing: For the enforcement of the provisions of the Acts of October 20, 1914 (U. S. C., title 48, sec. 435), October 2, 1917 (U. S. C., title 30, sec. 141), February 25, 1920 (U. S. C., title 30, sec. 181), as amended, and March 4, 1921 (U. S. C., title 48, sec. 444), and other Acts relating to the mining and recovery of minerals on Indian and public lands and naval petroleum reserves; and for every other expense incident thereto, including supplies, equipment, expenses of travel and subsistence, the construction, maintenance, and repair of necessary camp buildings and appurtenances thereto, $315,000, of which amount $30,000 shall be immediately available and not to exceed $75,000 may be expended for personal services in the District of Columbia;

Nonmetallic Mineral Acts.
Enforcing provisions.
38 Stat., 742; 40 Stat., 297; 41 Stat., 437, 1363.
U. S. C., pp. 2140, 1342, 2141.

* * * * * * *

NATIONAL PARK SERVICE

National Park Service.

* * * * * * *

Glacier National Park, Montana: For administration, protection, and maintenance, including necessary repairs to the roads from Glacier Park Station through the Blackfeet Indian Reservation to the various points in the boundary line of the Glacier National Park and the international boundary, including not exceeding $1,800 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $175,000.

Glacier, Mont.

* * * * * * *

Roads and Trails, National Park Service: For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks, monuments, and other areas administered by the National Park Service, including the Boulder Dam Reservation, and other areas authorized to be established as national parks and monuments, and national park and monument approach roads authorized by the Act of January 31, 1931 (U. S. C., title 16, sec. 8a and 8b), as amended, including the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary, $6,500,000, to be immediately available and to remain avail-

Roads and trails.
Construction, etc.
46 Stat., 1053.
U. S. C., p. 592.

Proviso.
Services in the District.

able until expended: *Provided*, That not to exceed $25,000 of the amount herein appropriated may be expended for personal services in the District of Columbia during the fiscal year 1937.

* * * * * * *

Field work appropriations available for work animals, etc.

SEC. 2. Appropriations herein made for field work under the Office of the Secretary, the General Land Office, the Bureau of Indian Affairs, the Bureau of Reclamation, the Geological Survey, the Bureau of Mines, and the National Park Service shall be available for the hire, with or without personal services, of work animals and animal-drawn and motor-propelled vehicles and equipment.

Approved, June 22, 1936.

June 22, 1936.
[S. 1318.]
49 Stat., 1803.

CHAP. 692.—An Act To authorize the Secretary of the Interior to investigate and adjust irrigation charges on irrigation lands within projects on Indian reservations, and for other purposes

Indian irrigation projects.
Investigation and adjustment of irrigation charges on non-Indian lands under, authorized.

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 and directed to cause an investigation to be made to determine whether the owners of non-Indian lands under Indian irrigation projects and under projects where the United States has purchased water rights for Indians are unable to pay irrigation charges, including construction, maintenance, and operating charges, because of inability to operate such lands profitably by reason of lack of fertility of the soil, inadequacy of water supply, defects of irrigation works, or for any other causes. Where the Secretary finds that said landowners are unable to make payment due to the existence of such causes, he may adjust, defer, or cancel such charges, in whole or in part, as the facts and conditions warrant. In adjusting or deferring any such charges the Secretary may enter into contracts with said landowners for the payment of past due charges, but such contracts shall not extend the payment of such charges over a period in excess of ten years.

Contracts for payment of past due charges; limitation.

Lands found temporarily nonirrigable; suspension of assessments.

SEC. 2. Where the Secretary finds that any such lands cannot be cultivated profitably due to a present lack of water supply, proper drainage facilities, or need of additional construction work, he shall declare such lands temporarily nonirrigable for periods not to exceed five years and no charges shall be assessed against such lands during such periods.

Action if found permanently nonirrigable.

SEC. 3. Where the Secretary finds that any such lands are permanently nonirrigable he may, with the consent of the landowner, eliminate such lands from the project.

Cancelation of unpaid charges at time Indian title extinguished.

SEC. 4. Where irrigation assessments against any such lands remained unpaid at the time the Indian title to such lands became extinguished and no lien existed and attached to such lands for the payment of charges so assessed and no contract for the payment of such charges was entered into, the Secretary shall cancel all such charges.

Rules and regulations.

SEC. 5. The Secretary shall have power to make such rules and regulations as may be necessary to carry out the provisions of this Act.

Reports to Congress.

SEC. 6. The Secretary shall make reports to the Congress on the first Monday of each regular session, and from time to time thereafter, showing the action taken under the provisions of this Act during the preceding year. No proceedings under this Act shall become effective until approved by the Congress.

Approval of proceedings.

Approved, June 22, 1936.

CHAP. 698.—An Act To authorize the Secretary of the Interior to reserve certain lands on the public domain in Nevada for addition to the Walker River Indian Reservation

June 22, 1936.
[S. 3805.]
49 Stat., 1806.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to set aside not to exceed one hundred and seventy-one thousand two hundred acres, or so much thereof as he may deem advisable, of the public-domain lands in townships 11, 12, 13, 14, and 15 north, ranges 27, 28, 29, 30, and 31 east, Mount Diablo meridian, Nevada, as an addition to the Walker River Indian Reservation: *Provided*, That the said withdrawal shall not affect any valid rights initiated prior to the approval hereof: *Provided further*, That the Secretary of the Interior shall arrange, either by the maintenance of existing stock driveways or otherwise, to permit stock owned by others than Indians to cross the reservation at designated points. Executive order of November 26, 1934, temporarily withdrawing public-domain lands for classification, and so forth, under the Taylor Grazing Act of June 28, 1934 (ch. 865, 48 Stat. L. 1269), is hereby revoked as to such of the above-described lands as may be designated by the Secretary of the Interior for addition to the said Walker River Indian Reservation.

Walker River Indian Reservation, Nev.
Certain public lands added to.

Location.

Provisos.
Prior rights not affected.
Stock driveways.

Executive order revoked.
48 Stat., 1269; ante, 390.
U. S. C., p. 1851.

SEC. 2. Title to all minerals in said lands is hereby reserved to the United States and shall be subject to all forms of mineral entry or claim under the public land mining laws: *Provided*, That the Paiute Indians of the Walker River Reservation shall be paid by mineral claimants for the loss of any improvements on any lands located or withdrawn for mining purposes under rules and regulations to be prescribed by the Secretary of the Interior: *And provided further*, That an annual rental of not less than 5 cents per acre shall be paid to the superintendent of the reservation to be deposited to the credit of the tribe as compensation for loss of use or occupancy of any lands withdrawn for mining purposes or mineral entry. No mineral patent shall be granted to any applicant who is delinquent in the payment of rental or in the payment of any damages due the tribe under the provisions of this Act.

Approved, June 22, 1936.

Mineral rights reserved.

Provisos.
Payments to Paiute Indians.

Rental payments.

Denial of patent if rent in arrears, etc.

CHAP. 714.—Joint Resolution To carry out the intention of Congress with reference to the claims of the Chippewa Indians of Minnesota against the United States

June 22, 1936.
[H. J. Res. 415.]
49 Stat., 1826.

Whereas by the Special Jurisdictional Act approved May 14, 1926 (44 Stat. L. 555), the claims of the Chippewa Indians of Minnesota against the United States were referred to the Court of Claims "with right of appeal to the Supreme Court of the United States by either party as in other cases", it being the intention that both parties should have the right of appeal to the Supreme Court; and

Whereas the Supreme Court has since decided that notwithstanding such a provision there is no right of appeal, in view of the Judicial Code, as amended, unless the Jurisdictional Act specifically provides that the Supreme Court shall review a case on appeal, anything in the Judicial Code to the contrary notwithstanding: Now, therefore, be it

Chippewa Indians of Minnesota.
Preamble.
44 Stat., 555, vol. 4, 546.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the claims of the Chippewa Indians of Minnesota under the said Jurisdictional Act of May 14, 1926, shall be reviewed by the Supreme Court of the

Claims of, to be reviewed by United States Supreme Court on appeal from Court of Claims.

United States on appeal from the Court of Claims, anything in the Judicial Code, or amendments thereto, notwithstanding: *Provided*, That in any case heretofore decided by the Court of Claims said appeal shall be perfected by either party to the controversy within one year from the passage of this joint resolution, and an appeal shall be taken in all cases hereafter decided by the Court of Claims within three months from and after the date final judgment or decree is entered therein in the Court of Claims.[1]

Proviso.
Time limitation.

Approved, June 22, 1936.

June 26, 1936.
[S. 2047.]
49 Stat., 1967.

CHAP. 831.—An Act To promote the general welfare of the Indians of the State of Oklahoma, and for other purposes

Indians of Oklahoma.
Acquisition of lands, etc., within or without reservations.

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 hereby authorized, in his discretion, to acquire by purchase, relinquishment, gift, exchange, or assignment, any interest in lands, water rights, or surface rights to lands, within or without existing Indian reservations, including trust or otherwise restricted lands now in Indian ownership: *Provided*, That such lands shall be agricultural and grazing lands of good character and quality in proportion to the respective needs of the particular Indian or Indians for whom such purchases are made. Title to all lands so acquired shall be taken in the name of the United States, in trust for the tribe, band, group, or individual Indian for whose benefit such land is so acquired, and while the title thereto is held by the United States said lands shall be free from any and all taxes, save that the State of Oklahoma is authorized to levy and collect a gross-production tax, not in excess of the rate applied to production from lands in private ownership, upon all oil and gas produced from said lands, which said tax the Secretary of the Interior is hereby authorized and directed to cause to be paid.

Proviso.
Type of land to be acquired in proportion to individual needs.

United States to take title as trustee.

Nontaxable; exception.

Production tax on oil and gas.

Restricted Indian land, etc.
Preference right to purchase, in behalf of Indians.

SEC. 2. Whenever any restricted Indian land or interests in land, other than sales or leases of oil, gas, or other minerals therein, are offered for sale, pursuant to the terms of this or any other Act of Congress, the Secretary of the Interior shall have a preference right, in his discretion, to purchase the same for or in behalf of any other Indian or Indians of the same or any other tribe, at a fair valuation to be fixed by the appraisement satisfactory to the Indian owner or owners, or if offered for sale at auction said Secretary shall have a preference right, in his discretion, to purchase the same for or in behalf of any other Indian or Indians by meeting the highest bid otherwise offered therefor.

Appraisement.

Right to organize for common welfare, adopt constitution, etc.

Charter.

SEC. 3. Any recognized tribe or band of Indians residing in Oklahoma shall have the right to organize for its common welfare and to adopt a constitution and bylaws, under such rules and regulations as the Secretary of the Interior may prescribe. The Secretary of the Interior may issue to any such organized group a charter of incorporation, which shall become operative when ratified by a majority vote of the adult members of the organization voting: *Provided, however*, That such election shall be void unless the total vote cast be at least 30 per centum of those entitled to vote. Such charter may convey to the incorporated group, in addition to any powers which may properly be vested in a body corporate under the laws of the State of Oklahoma, the right to participate in the revolving credit fund and to enjoy any other rights or privileges

Proviso.
Vote requirement.
Powers conferred by charter.

[1] 301 U. S. 358; 305 U. S. 479; 307 U. S., 1; 87 Ct. Cls. 1; 88 Ct. Cls. 1.

secured to an organized Indian tribe under the Act of June 18, 1934 (48 Stat. 984): *Provided*, That the corporate funds of any such chartered group may be deposited in any national bank within the State of Oklahoma or otherwise invested, utilized, or disbursed in accordance with the terms of the corporate charter.

48 Stat., 984; ante, 378. U. S. C., p. 1031.
Proviso.
Deposit of funds.

SEC. 4. Any ten or more Indians, as determined by the official tribal rolls, or Indian descendants of such enrolled members, or Indians as defined in the Act of June 18, 1934 (48 Stat. 984), who reside within the State of Oklahoma in convenient proximity to each other may receive from the Secretary of the Interior a charter as a local cooperative association for any one or more of the following purposes: Credit administration, production, marketing, consumers' protection, or land management. The provisions of this Act, the regulations of the Secretary of the Interior, and the charters of the cooperative associations issued pursuant thereto shall govern such cooperative associations: *Provided*, That in those matters not covered by said Act, regulations, or charters, the laws of the State of Oklahoma, if applicable, shall govern. In any stock or nonstock cooperative association no one member shall have more than one vote, and membership therein shall be open to all Indians residing within the prescribed district.

Local cooperative associations; purposes.

Provisions, etc., governing.

Proviso.
State laws applicable to matters not covered in regulations, etc.
Voting privilege.

SEC. 5. The charters of any cooperative association organized pursuant to this Act shall not be amended or revoked by the Secretary except after a majority vote of the membership. Such cooperative associations may sue and be sued in any court of the State of Oklahoma or of the United States having jurisdiction of the cause of action, but a certified copy of all papers filed in any action against a cooperative association in a court of Oklahoma shall be served upon the Secretary of the Interior, or upon an employee duly authorized by him to receive such service. Within thirty days after such service or within such extended time as the trial court may permit, the Secretary of the Interior may intervene in such action or may remove such action to the United States district court to be held in the district where such petition is pending by filing in such action in the State court a petition for such removal, together with the certified copy of the papers served upon the Secretary. It shall then be the duty of the State court to accept such petition and to proceed no further in such action. The said copy shall be entered in the said district court within thiry [1] days after the filing of the petition for removal, and the said district court is hereby given jurisdiction to hear and determine said action.

Charters, amendment or revocation.

Suits by or against associations.

Intervention by Secretary of the Interior; removal to Federal district court.

SEC. 6. The Secretary is authorized to make loans to individual Indians and to associations or corporate groups organized pursuant to this Act. For the making of such loans and for expenses of the cooperative associations organized pursuant to this Act, there shall be appropriated, out of the Treasury of the United States, the sum of $2,000,000.[2]

Loans to individual Indians and to associations.
Appropriation for.

SEC. 7. All funds appropriated under the several grants of authority contained in the Act of June 18, 1934 (48 Stat. 984), are hereby made available for use under the provisions of this Act, and Oklahoma Indians shall be accorded and allocated a fair and just share of any and all funds hereafter appropriated under the authorization herein set forth: *Provided*, That any royalties, bonuses, or other revenues derived from mineral deposits underlying lands purchased in Oklahoma under the authority granted by this Act, or by the Act of June 18, 1934, shall be deposited in the Treasury of the United States, and such revenues are hereby made available for expenditure

Funds available.
48 Stat., 984; ante, 378.
Allocations to Oklahoma Indians.

Proviso.
Deposit of mineral royalties.

Availability.

[1] So in original.
[2] 17 Comp. Gen. Dec., 773; 18 Comp. Gen. Dec., 773.

by the Secretary of the Interior for the acquisition of lands and for loans to Indians in Oklahoma as authorized by this Act and by the Act of June 18, 1934 (48 Stat. 984).

Osage County, Okla., not affected.

SEC. 8. This Act shall not relate to or affect Osage County, Oklahoma.

Rules to be prescribed.

SEC. 9. The Secretary of the Interior is hereby authorized to prescribe such rules and regulations as may be necessary to carry out the provisions of this Act. All Acts or parts of Acts inconsistent herewith are hereby repealed.[3]

Inconsistent Acts repealed.

Approved, June 26, 1936.

June 26, 1936.
[S. J. Res. 177.]
49 Stat., 1984.

CHAP. 851.—Joint Resolution To define the term of certain contracts with Indian tribes

Indians.
Certain contracts with attorneys, of indefinite term, etc., validated.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That any contracts or agreements heretofore approved by the Secretary of the Interior between the authorities of any tribe, band, or group of Indians and their attorneys for the prosecution of claims against the United States, which provide that such contracts or agreements shall run for a period of years therein specified, and as long thereafter as may be required to complete the business therein provided for, or words of like import, or which provide that compensation for services rendered shall be on a quantum-meruit basis not to exceed a specified percentage, shall be deemed a sufficient compliance with section 2103 of the Revised Statutes (or section 81, title 25, United States Code): *Provided, however*, That nothing herein contained shall limit the power of the Secretary of the Interior, after due notice and hearing and for proper cause shown, to cancel any such contract or agreement: *Provided further*, That the provisions of this Act shall not be construed to revive any contract which has been terminated heretofore by lapse of time, operation of law, or by acts of the parties thereto.

R. S., sec. 2103, p. 367.
U. S. C., p. 999.
Provisos.
Authority to cancel contracts.

Terminated contracts not revived.

Existing valid contracts with time limitation for completion of services not affected.

SEC. 2. Any existing valid contract heretofore made and approved pursuant to any Act of Congress by any tribe, band, or group of Indians with an attorney or attorneys for the rendition of services in the prosecution of claims against the United States under authority of which suit or suits have been filed, and which contains a limitation of time for the completion of the services to be performed may be continued in full force unless a subsequent contract dealing with the same subject matter has been made and approved.

Approved, June 26, 1936.

PRIVATE ACTS OF THE SEVENTY-FOURTH CONGRESS, SECOND SESSION, 1936

January 20, 1936.
[S. 3077.]
49 Stat., 2210.

CHAP. 16.—An Act For the relief of Constantin Gilia

Constantin Gilia.
Payment to, from Chippewa Indian funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay from funds on deposit to the credit of the Chippewa Indians of Minnesota, the sum of $330 to Constantin Gilia in full and final settlement of his claim for the transportation of laundry to and from Hackensack, Minnesota, and the Consolidated Chippewa Sanatorium, at Onigum, Minnesota, during the period from July 1930 to June 30, 1931.

Approved, January 20, 1936.

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[3] 17 Comp. Gen. Dec., 773.

CHAP. 71.—An Act For the relief of Lynn Brothers' Benevolent Hospital

February 14, 1936.
[S. 423.]
49 Stat., 2222.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Lynn Brothers' Benevolent Hospital, of Pocatello, Idaho, the sum of $6,485.07, or so much thereof as may be necessary, in full settlement of all claims against the United States for hospital care and doctors' services rendered certain Indians on the Fort Hall Indian Reservation, Idaho: *Provided*, That before payment hereunder the Secretary of the Interior shall certify that no part of the amount claimed has heretofore been paid: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Lynn Brothers' Benevolent Hospital.
Payment to.

Provisos.
Condition.

Limitation on attorneys, etc., fees.

Penalty for violation.

Approved, February 14, 1936.

CHAP. 72.—An Act For the relief of E. E. Sullivan

February 14, 1936.
[S. 2691.]
49 Stat., 2222.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to E. E. Sullivan, of Sioux Falls, South Dakota, the sum of $352.50, in full satisfaction of his claim against the United States for a refund in accordance with the contract entered into between said E. E. Sullivan and the Department of the Interior on November 18, 1921, relating to the purchase of 80 acres of land owned by the estate of one Knocked Over, deceased Crow Creek Indian, such sum having become due under the terms of such contract but remaining unpaid: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

E. E. Sullivan.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, February 14, 1936.

CHAP. 73.—An Act For the relief of A. E. Taplin

February 14, 1936.
[S. 3020.]
49 Stat., 2223.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $807.30 to A. E. Taplin, a physician and surgeon of Veblen,

A. E. Taplin.
Payment to.

South Dakota, in full satisfaction of all claims against the United States for medical services and medicine furnished to members of the Sisseton-Wahpeton Tribe of Sioux Indians in the vicinity of Veblen, South Dakota, during the period March 3, 1921, to December 29, 1932, inclusive: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, February 14, 1936.

April 10, 1936. [H. R. 7788.]
49 Stat., 2246.

CHAP. 201.—An Act For the relief of Mrs. Earl H. Smith

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $504.41 to Mrs. Earl H. Smith, administratrix of the estate of Earl H. Smith, for labor performed by the said Earl H. Smith in full settlement in the construction of the Indian hospital at Tomah, Wisconsin.

Mrs. Earl H. Smith. Appropriation authorized for payment to.
49 Stat., 1622; ante, 475.

Approved, April 10, 1936.

April 10, 1936. [H. R. 8032.]
49 Stat., 2246.

CHAP. 202.—An Act For the relief of the Ward Funeral Home

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Ward Funeral Home, Talihina, Oklahoma, the sum of $332.10, in full and final settlement of its claims for burial services performed for five Indian patients who died at the Choctaw and Chickasaw Sanatorium between June 13, 1931, and March 26, 1932, inclusive.

Ward Funeral Home. Payment to.

Approved, April 10, 1936.

April 10, 1936. [H. R. 8061.]
49 Stat., 2246.

CHAP. 204.—An Act For the relief of David Duquaine, Junior

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the superintendent and special disbursing agent of the Keshena Agency for deposit to the credit of David Duquaine, Junior, minor son of David Duquaine, Senior, of the village of Neopit, Wisconsin, the sum of $1,061.09 in full settlement of his claim against the United States, or any employee thereof, for injuries sustained by being severely burned, due to the negligence of a Government nurse, while receiving treatment in a Government hospital, located on the Menominee Indian Reservation at Keshena, Wisconsin: *Provided*, That said $1,061.09 shall be handled in the same manner as other individual Indian moneys and out

David Duquaine, Jr. Payment to.

Provisos. To be handled as other Indian moneys.

of said appropriation the Secretary of the Interior is hereby authorized to pay the court costs in the case of David Duquaine, Junior, against Audra Ball, in the county seat of Shawano County, Wisconsin, upon proper release of the judgment in said case being obtained and entered of record: *Provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 10, 1936.

CHAP. 205.—An Act For the relief of Thomas F. Gardiner

April 10, 1936.
[H. R. 8110.]
49 Stat., 2247.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to settle and adjust the claim of Thomas F. Gardiner arising out of his contract entered into December 1930 for furnishing transportation by means of a dog team to G. R. Gardner, Superintendent of Education, Southwest District of Alaska, Office of Indian Affairs, Department of the Interior, in connection with an inspection trip by the said superintendent to the various schools in his district, and to allow in full and final settlement of said claim an amount not exceeding the sum of $200.50. There is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $200.50, or so much thereof as may be necessary, for the payment of such claim: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Thomas F. Gardiner.
Adjustment of claim authorized.

Appropriation.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 10, 1936.

CHAP. 287.—An Act for the relief of Edith H. Miller

May 4, 1936.
[H. R. 5753.]
49 Stat., 2263.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $127.64 to Edith H. Miller, widow and sole heir at law of Arthur H. Miller, deceased, formerly district superintendent of schools at Anchorage, Alaska, under the Bureau of Indian Affairs, in full settlement of all claims against the United States for payment made by said Arthur H. Miller from personal funds for transporting his personal and household goods from Seattle, Washington, to Juneau,

Edith H. Miller.
Payment to.

Proviso. Limitation on attorney's, etc., fees.

Alaska, upon permanent change of station: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, May 4, 1936.

May 4, 1936.
[H. R. 9076.]
49 Stat., 2267.

CHAP. 295.—An Act for the relief of W. H. Dean

W. H. Dean. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. H. Dean the sum of $200 in full settlement of all claims against the United States for salary withheld from him for services rendered as foreman of construction work at the Rosebud Indian Agency, Rosebud, South Dakota, during July and August 1930: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 4, 1936.

May 6, 1936.
[H. R. 4159.]
49 Stat., 2281.

CHAP. 349.—An Act For the relief of Anchorage Commercial Company, Incorporated

Anchorage Commercial Company, Incorporated. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized and directed to pay to Anchorage Commercial Company, Incorporated, a corporation organized and existing under the laws of the Territory of Alaska, out of balances of the appropriations "Education of natives of Alaska, 1927–28" and "Education of natives of Alaska, 1928–29", which balances have heretofore been carried to the surplus fund of the Treasury, the sum of $307.21 in full satisfaction of all claims against the United States on account of services rendered and materials and supplies furnished to the United States Indian Industrial School situated at Eklutna, Alaska, between August 11, 1927, and June 30, 1929: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act

44 Stat., 491, 967, vol. 4, 544; 930.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved, May 6, 1936.

CHAP. 389.—An Act For the relief of Josephine Russell

May 13, 1936.
[S. 4416.]
49 Stat., 2293.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Employees' Compensation Commission be, and it is hereby, authorized and directed to receive and determine the claim of Josephine Russell for disability resulting from injuries sustained by her on or about June 19, 1933, while employed by the Bureau of Indian Affairs, Department of the Interior, as a nurse in the Pine Ridge Hospital, Pine Ridge, South Dakota, under the provisions of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, except that the time limitation in sections 15 and 20, inclusive, of said Act are hereby waived: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Josephine Russell.
Provisions of Employees' Compensation Act extended to.

39 Stat., 746.
U. S. C., p. 98.
Time limitation waived.

Proviso.
No prior benefits.

Approved, May 13, 1936.

CHAP. 411.—An Act To authorize the Secretary of the Interior to ascertain the persons entitled to compensation on account of Private Claim 111, Parcel 1, Nambe Pueblo grant

May 15, 1936.
[S. 3460.]
49 Stat., 2294.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to find and determine the person or persons entitled to participate in the award of the Pueblo Lands Board in Private Claim 111, Parcel 1, Nambe Pueblo grant. The finding of the Secretary of the Interior shall be final and conclusive, and the person or persons so found entitled shall be compensated out of the appropriations authorized by section 3 of the Act of May 31, 1933 (48 Stat. L., 108–109).

Nambe Pueblo grant, N. Mex.
Persons entitled to participate in award to be ascertained.

Compensation.
48 Stat., 109; ante, 337.

Approved, May 15, 1936.

CHAP. 415.—An Act For the relief of Maizee Hamley

May 15, 1936.
[S. 3747.]
49 Stat., 2296.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit to Maizee Hamley, staff nurse in the Kiowa Agency, Anadarko, Oklahoma, for the amount of $946.70 received as dual compensation for the period July 1, 1928, to September 30, 1932, while employed as nurse and postmistress at the Havasupai Agency, Supai, Arizona, in contravention of the Act of May 10, 1916, as amended (39 Stat. 120, 582), which prohibits payment of more than one salary, when the combined amounts of such salaries exceed the rate of $2,000 per annum.

Maizee Hamley.
Credit for dual compensation allowed.

39 Stat., 582.
U. S. C., p. 39.

Approved, May 15, 1936.

CHAP. 443.—An Act For the relief of Frank Cordova

May 21, 1936.
[H. R. 9370.]
49 Stat., 2303.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the

Frank Cordova.
Payment of claim, authorized.

sum of $770.16 to the Superintendent of the Shoshone Indian Agency, Fort Washakie, Wyoming, to be expended under regulations approved by the Secretary of the Interior, for the relief of Frank Cordova (also known as Frank Enos, Frank O'Neal, and Frank O'Neal Cordova), in full settlement of his claim against the United States on account of the erroneous distribution of funds, inherited from the estate of Dora Enos, deceased, to the heirs of Frank Enos, deceased: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 21, 1936.

CHAP. 564.—An Act For the relief of E. W. Jermark

June 15, 1936. [S. 3768.]

49 Stat., 2317.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General be, and he is hereby, authorized and directed to allow credit in the accounts of E. W. Jermark, former Superintendent and special disbursing agent for the Lac du Flambeau Indian Agency, Lac du Flambeau, Wisconsin, in the sum of $268.45, representing payments made by him to G. B. Aschenbrenner, credit for which was disallowed by certificate of settlement numbered G–42484–In, dated July 19, 1933.

E. W. Jermark. Credit allowed in accounts of.

Approved, June 15, 1936.

CHAP. 569.—An Act For the relief of Grant Anderson

June 15, 1936. [S. 4116.]

49 Stat., 2319.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Grant Anderson, Crow Creek Reservation, South Dakota, the sum of $226.67, in full satisfaction of his claim against the United States for the remainder of a refund due the said Grant Anderson from the estate of Julia White Cloud or Julia Voice, deceased heir of Philip His Day, on account of a certain canceled contract entered into between the said Grant Anderson and the Department of the Interior on December 11, 1920, relating to the purchase of one hundred and sixty acres of land owned by the heirs of Philip His Day, deceased Crow Creek allottee numbered 929. The said Grant Anderson shall execute and deliver to the Secretary of the Interior an assignment, satisfactory to the Secretary, assigning to the United States all his right, title, and interest in and to the remainder of such refund. All sums recovered from the estate of Julia White Cloud or Julia Voice by the United States under such assignment shall be covered into the Treasury as miscellaneous receipts: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any con-

Grant Anderson. Payment to.

Assignment provision.

Proviso. Limitation on attorney's, etc., fees.

tract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, June 15, 1936.

CHAP. 613.—An Act For the relief of John Walker

June 19, 1936.
[S. 3371.]
49 Stat., 2325.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John Walker, of Hays, Montana, or his heirs, the sum of $200 in full settlement of his claim against the United States for destruction of a one-room log house and equipment located on the Fort Belknap Reservation in Montana, during a diphtheria epidemic on said reservation, in the winter of 1933: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

John Walker.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 19, 1936.

CHAP. 614.—An Act For the relief of Juanita Filmore, a minor

June 19, 1936.
[H. R. 8033.]
49 Stat., 2325.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the superintendent of the Five Civilized Tribes Agency, Muskogee, Oklahoma, the sum of $1,000, to be held as individual Indian money for Juanita Filmore, a minor, and to be disbursed by the said superintendent only for her actual and ordinary needs. Such sum shall be in full settlement of any claim against the United States arising out of a permanent injury received by the said Juanita Filmore on August 15, 1934, at Wheelock Academy, Oklahoma: *Provided*, That when the said Juanita Filmore shall have attained the age of twenty-one years, the superintendent of the Five Civilized Tribes Agency, Muskogee, Oklahoma, shall pay to her the unexpended balance, if any, of such fund: *Provided further*, That no part of the amount appropriated in this Act shall be paid to or received by any agent or attorney on account of services rendered in connection with this claim, and any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Juanita Filmore.
Payment for personal injury to.

Provisos.
Payment of unexpended balance at age of twenty-one.

Attorney's, etc., fees forbidden.

Penalty for violation.

Approved, June 19, 1936.

CHAP. 615.—An Act For the relief of Robert D. Baldwin

June 19, 1936.
[H. R. 12408.]
49 Stat., 2326.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of Robert D. Baldwin, superintendent and special disbursing agent of the Haskell Institute,

Robert D. Baldwin.
Credit allowed in accounts of.

at Lawrence, Kansas, for an expenditure of $50.28 made during November and December 1931 and January 1932 and paid from the appropriation for "Indian boarding schools, fiscal year 1932."

Approved, June 19, 1936.

June 19, 1936.
[H. R. 12622.]
49 Stat., 2326.

CHAP. 616.—An Act For the relief of Doctor Harold W. Foght

Harold W. Foght.
Credit allowed in accounts of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit to Harold W. Foght, Superintendent of the Cherokee Indian Agency, North Carolina, for the sum of $377.40, which amount was expended from appropriated funds for the transportation of the household effects of Doctor Foght to his new post of duty at Cherokee, North Carolina.

Approved, June 19, 1936.

June 22, 1936.
[H. R. 4085.]
49 Stat., 2342.

CHAP. 716.—An Act For the relief of Joseph Watkins

Joseph Watkins.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joseph Watkins the sum of $3,000 in full settlement of all claims against the United States because of personal injuries sustained by the said Joseph Watkins in May 1916 while he was a pupil in the Pipestone Indian School in Minnesota: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof an account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation

Approved, June 22, 1936.

June 22, 1936.
[H. R. 4707.]
49 Stat., 2348.

CHAP. 717.—An Act Validating certain applications for and entries of public lands, and for other purposes

Public lands.
Patents allowed for designated entries.
Ashel E. Caldwell.
Homestead.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to issue a patent under the homestead entry of Ashel E. Caldwell, Salt Lake City 048547, for northwest quarter of northeast quarter, section 36, township 1 south, range 1 east, Uintah special meridian, Utah, upon compliance by Ashel E. Caldwell with the homestead laws of the United States: *Provided*, That in addition to the usual fees and commissions payable under existing laws, said entryman shall pay the sum of $1.25 per acre for the land so entered, which latter sum shall be deposited in the Treasury of the United States and disposed of in the same manner as other proceeds derived from the sale of lands within the former Uintah Indian Reservation, Utah.

Proviso.
Purchase price.

SEC. 2. The Secretary of the Interior is hereby authorized and directed to allow John S. Dillon of Portland, Oregon, to make desert-land entry for west half of northwest quarter, northwest quarter of southwest quarter, section 20, township 18 south, range 44 east, Willamette meridian, The Dalles, Oregon.

John S. Dillon. Desert-land.

SEC. 3. The Secretary of the Interior is hereby authorized and directed to accept the final proof submitted on October 25, 1930, on behalf of Joe Draper by his mother and guardian, Sarah E. Draper, in support of the homestead entry of Joe Draper, Phoenix 063049, as amended, for south half, section 27 and lots 1, 2, and 3, southeast quarter of northwest quarter, west half of northwest quarter, north half of southwest quarter, section 33, township 14 south, range 12 east, Gila and Salt River meridian, Arizona, and to issue patent for the entry in regular course.

Joe Draper. Homestead.

SEC. 4. The homestead entry, Cass Lake 014741, made by Joseph Burnham on October 15, 1928, for southeast quarter of northwest quarter, section 20, township 144 north, range 34 west, fifth principal meridian, Minnesota, is hereby validated, and the Secretary of the Interior is hereby authorized and directed to accept the final proof submitted by Joseph Burnham in support of said homestead entry on December 20, 1933, and to issue patent for the entry in regular course.

Joseph Burnham. Homestead.

SEC. 5. The homestead entry of George W. Turner, Santa Fe 063896, for south half of south, section 9, and north half, section 21, township 1 south, range 20 east, New Mexico meridian, New Mexico, allowed October 27, 1931, pursuant to an application filed April 16, 1931, is hereby validated.

George W. Turner. Homestead.

SEC. 6. The homestead entry, Cheyenne 052273, made by Ruble L. Jenkins on January 27, 1931, for east half of northeast quarter and northeast quarter of southeast quarter, section 19, and southwest quarter of northwest quarter of section 20, township 6 north, range 2 east, Wind River meridian, Wyoming, within the Shoshone Indian Reservation, is hereby validated, and the Secretary of the Interior is hereby authorized to accept the final proof submitted by Ruble L. Jenkins in support of said homestead entry, and to issue patent for the entry in regular course.

Ruble L. Jenkins. Homestead.

Approved, June 22, 1936.

CHAP. 719.—An Act For the relief of Julia Long

June 22, 1936. [H. R. 8321.]
49 Stat., 2344.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Julia Long, of Detroit Lakes, Minnesota, the sum of $1,166.25. The payment of such sum shall be in full settlement of all claims against the United States on account of damages sustained by the said Julia Long as the result of the death of her daughter, Harriet Long, which occurred November 7, 1934, in a collision near the village of Richwood, Minnesota, between the automobile in which she was riding and a Government truck operated by an employee of the Office of Indian Affairs, Department of the Interior: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any

Julia Long. Payment to.

Proviso. Limitation on attorney's, etc., fees.

agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, June 22, 1936.

June 22, 1936.
[H. R. 8322.]
49 Stat., 2345.

CHAP. 720.—An Act For the relief of Merwin A. Kiel

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Merwin A. Kiel, of Detroit Lakes, Minnesota, the sum of $2,697.75. The payment of such sum shall be in full settlement of all claims against the United States on account of damages sustained by the said Merwin A. Kiel as a result of permanent injuries suffered on November 7, 1934, in a collision which occurred near the village of Richwood, Minnesota, between his automobile and a Government truck operated by an employee of the Office of Indian Affairs, Department of the Interior: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Merwin A. Kiel.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 22, 1936.

June 29, 1936.
[S. 4152.]
49 Stat., 2368.

CHAP. 871.—An Act validating certain conveyances by Kickapoo Indians of Oklahoma made prior to February 17, 1933, providing for actions in partition in certain cases

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all conveyances made to Ira L. Couch, A. J. Ownby, Fred L. Rooker, Wallace Estell, junior, J. D. Shepherd, or any of them, or to their grantors purporting to convey an inherited interest in Kickapoo lands allotted in Oklahoma in and to the following-described real estate, to wit: The northeast quarter of northwest quarter, and lot 1 of the northwest quarter section 19, township 12 north, range 2 east; lot 11, northeast quarter section 17, and lot 3, northeast quarter section 18, and lot 3, northeast quarter section 20, and lot 2, northwest quarter section 20, and lot 2, northeast quarter section 18, township 12 north, range 1 east; the north half southeast quarter section 19, township 11 north, range 3 east; the northwest quarter southeast quarter and lot 2 of the southeast quarter section 8, township 12 north, range 1 east; lot 4 of section 16, lot 5 of section 17, and lot 1 of section 20, township 12 north,

Kickapoo Indians, Okla.
Certain conveyances by, validated.

range 1 east; lots 3 and 4 of the northeast quarter section 7, township 12 north, range 1 east; west half southeast quarter section 3, township 11 north, range 2 east; east half southeast quarter section 3, township 11 north, range 2 east; east half northeast quarter section 10, township 11 north, range 2 east; lots 7 and 8 of the southeast quarter section 13, township 11 north, range 2 east; the north half southeast quarter section 4, township 11 north, range 2 east, where such instrument or instruments were made after September 11, 1922, and recorded in the office of the registrar of deeds for the county in which said lands are located, prior to February 17, 1933, are hereby ratified and confirmed as valid conveyances of an inherited interest.

Suit to partition in district court.

SEC. 2. That any such grantee, his heirs or assigns, in any such deed conveying an undivided interest to any part of said land may maintain a suit to partition the same against any restricted Indian who is a part owner of said lands in the United States District Court for the Western District of Oklahoma in accordance with the law governing partitions in the State of Oklahoma. The United States shall be made a party to such action, and jurisdiction is hereby conferred upon such court to hear and determine such causes, and service may be had on the United States by serving one copy of the petition or bill in equity on the United States attorney for the western district of Oklahoma forty-one days before said cause is set for trial, and any conveyance ordered made by said court, in such proceedings, shall operate to remove all restrictions on the lands conveyed to the grantee therein, except where such grantee is a restricted Indian.

Jurisdiction conferred. Proceedings.

Approved, June 29, 1936.

CONCURRENT RESOLUTIONS OF CONGRESS, SEVENTY-FOURTH CONGRESS, SECOND SESSION, 1936

FIVE CIVILIZED TRIBES OF INDIANS

February 25, 1936.
49 Stat., 2377.

Resolved by the Senate (the House of Representatives concurring), That the President of the United States be, and he is hereby, requested to return to the Senate the enrolled bill (S. 3227) to amend section 3 of the Act approved May 10, 1928, entitled "An Act to extend the period of restriction in lands of certain members of the Five Civilized Tribes, and for other purposes", as amended February 14, 1931.

Five Civilized Tribes of Indians. Return of bill (S. 3227 relating to, requested.

Passed, February 25, 1936.

FIVE CIVILIZED TRIBES OF INDIANS

March 3, 1936.
49 Stat., 2377.

Resolved by the Senate (the House of Representatives concurring), That the action of the Speaker of the House of Representatives and the President of the Senate in signing the enrolled bill (S. 3227) to amend section 3 of the Act approved May 10, 1928, entitled "An Act to extend the period of restriction in lands of certain members of the Five Civilized Tribes, and for other purposes", as amended February14, 1931, be, and the same is hereby, rescinded, and that in the reenrollment of the bill the Secretary of the Senate be, and he is hereby, authorized and directed to strike out on page 1, line 8, of the engrossed bill the word "materials" and insert in lieu thereof the word "minerals".

Five Civilized Tribes of Indians. Correction in enrollment of bill relating to, directed.
49 Stat., 1160; ante, 463.

Passed, March 3, 1936.

PUBLIC ACTS OF THE SEVENTY-FIFTH CONGRESS, FIRST SESSION, 1937

April 17, 1937.
[S. 1901.]
50 Stat., 68.

CHAP. 108.—An Act To amend the last two provisos, section 26, Act of Congress approved March 3, 1921 (41 Stat. L. 1225–1248)

Quapaw Indians, Oklahoma.
State gross production tax on lead and zinc produced on lands of.
41 Stat., 1249, vol. 4. 316.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last two provisos in section 26 of the Act of Congress approved March 3, 1921 (41 Stat. L. 1225–1248), be, and the same are hereby, amended to read as follows: "That the State of Oklahoma is authorized, from and after the passage of this amendment, to levy and collect a gross production tax upon all lead and zinc produced on said lands in an amount not to exceed the present rate of three-fourths of 1 per centum on the gross value thereof. In accordance with the uniform policy of the United States Government to hold the lands of the Quapaw Indians while restricted and the income therefrom free from State taxation of whatsoever nature, except as said immunity is expressly waived, and, in pursuance of said fixed policy, it is herein expressly provided that the waiver of tax immunity herein provided shall be in lieu of all other State taxes of whatsoever nature on said restricted lands or the income therefrom, and the Secretary of the Interior is hereby authorized and directed to cause to be paid out of the individual Indian funds held under his supervision, belonging to the Indian owner of the land, the gross production tax so assessed against the royalty interest of the respective Indian owner in an amount not to exceed the rate hereinabove set forth: *Provided, however*, That such tax shall not become a lien or charge of any kind or character against the land or other property of said Indian owner."

Exemption from other State taxes.

Proviso.
Not a lien on property of Indian.

Approved, April 17, 1937.

April 17, 1937.
[H. R. 5293.]
50 Stat., 69.

CHAP. 111.—An Act To authorize the acquisition of six hundred and forty acres of land for the use and benefit of the Santa Rosa Band of Mission Indians, State of California.

Santa Rosa Band of Mission Indians, California.
Acquisition of land for use of, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to purchase in the name of the United States of America in trust for the Santa Rosa Band of Mission Indians six hundred and forty acres of land described as section 36, township 7 south, range 4 east, San Bernardino meridian, California, and for that purpose there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, not to exceed the sum of $500.

Appropriation authorized.

Approved, April 17, 1937.

April 20, 1937.
[H. R. 5299.]
50 Stat., 70.

CHAP. 114.—An Act To authorize the Secretary of the Interior to exchange certain lands and water rights in Inyo and Mono Counties, California, with the city of Los Angeles, and for other purposes

Los Angeles, Calif.
Exchange of certain lands and water rights with, for benefit of Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to accept title on behalf of the United States to lands and water rights now owned and held by the city of Los Angeles in the counties of Inyo and Mono, State of California, if, in his judgment, the interests of the Indians in said counties will be benefited thereby; and in consideration therefor the said Secretary may issue a patent or patents to the said city of Los Angeles for lands, water rights, and buildings

now held by the United States for the benefit of the Indians, provided that the lands, water rights, and buildings covered by the patent or patents shall not exceed in value the lands and water rights conveyed by the said city of Los Angeles to the United States: *Provided*, That the said Secretary may reserve the minerals of the lands conveyed to the said city and the said Secretary is authorized to accept conveyance by the said city of the lands and water rights, subject to a similar reservation in the city of the minerals of such lands, and in determining the relative value of the lands and water rights to be exchanged, consideration shall be given to any reservation made by either or both parties of any minerals or easements in the lands that may be exchanged.

Proviso. Reservation of minerals and easements.

SEC. 2. No allotted or other lands covered by trust patent or other instrument containing restriction against alienation by the allottee shall be involved in any such exchange except with the consent of the allottees or their heirs. Any such allottees or their heirs are hereby authorized to relinquish to the United States any lands covered by such patents or other instruments and accept in lieu thereof assignments of land within the new Indian reservations which are hereby authorized to be established by the Secretary of the Interior out of any lands accepted by him pursuant to section 1 hereof: *Provided*, That any such Indian may receive an area of equal value to the area of the allotment relinquished by him and receive similar title to that relinquished should any of the lands accepted by the said Secretary be outside of the boundaries of the new reservations.

Exchange of lands covered by trust patent, etc.

Proviso. Indian to receive area of equal value.

SEC. 3. No tribal lands shall be involved in any such exchange except with the consent of a majority of the adult Indians entitled to the use thereof. All lands acquired pursuant to this Act, other than land to which title may be held by or in trust for individual Indians, shall be held by the United States in trust for the Indian tribe, band, or group concerned.

No tribal lands involved except with consent.

Approved, April 20, 1937.

CHAP. 123.—An Act To reserve certain public domain in California for the benefit of the Capitan Grande Band of Mission Indians

April 22, 1937. [H. R. 5551.] 50 Stat., 72.

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled, That the following-described public domain be, and it is hereby, withdrawn from entry, sale, or other disposition and set aside as an addition to the Barona Ranch, a tract of land purchased for the Capitan Grande Band of Mission Indians under authority contained in the Act of May 4, 1932 (47 Stat. L. 146): Lots 1 and 2 of section 23, township 14 south, range 1 east, San Bernardino meridian, California, containing twelve and nineteen one-hundredths acres: *Provided*, That said withdrawal shall not affect any valid rights initiated prior to approval hereof.

Capitan Grande Band of Mission Indians.
Reservation of certain lands for benefit of.

47 Stat., 146; ante, 281.

Proviso. Prior rights not affected.

Approved, April 22, 1937.

CHAP. 227.—An Act Amending section 2 of Public Law Numbered 716 of the Seventy-fourth Congress, being an Act entitled "An Act to relieve restricted Indians whose lands have been taxed or have been lost by failure to pay taxes, and for other purposes"

May 19, 1937. [S. 150.] 50 Stat., 188.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of Public Law Numbered 716 of the Seventy-fourth Congress, being an Act entitled "An Act to relieve restricted Indians whose lands have

Indian lands.
49 Stat., 1542; ante, 471.
25 U. S. C., Supp. II, § 412a.

been taxed or have been lost by failure to pay taxes, and for other purposes", is hereby amended to read as follows:

Homesteads purchased from trust, etc., funds to be nontaxable.

SEC. 2. All homesteads, heretofore purchased out of the trust or restricted funds of individual Indians, are hereby declared to be instrumentalities of the Federal Government and shall be nontaxable until otherwise directed by Congress: *Provided*, That the title to such homesteads shall be held subject to restrictions against alienation or encumbrance except with the approval of the Secretary of the Interior: *And provided further*, That the Indian owner or owners shall select, with the approval of the Secretary of the Interior, either the agricultural and grazing lands, not exceeding a total of one hundred and sixty acres, or the village, town, or city property, not exceeding in cost $5,000, to be designated as a homestead.

Provisos.
Restrictions against alienation, etc.

Optional selection of lands.

Approved, May 19, 1937.

May 27, 1937.
[H. R. 5171.]
50 Stat., 210.

CHAP. 270.—An Act To reimpose a trust on certain lands allotted on the Yakima Indian Reservation

Yakima Indian Reservation, Wash.
Extension of period of trust on allotted lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the period of trust on lands allotted to Indians of the Yakima Reservation, Washington, upon which the trust period expired December 17, 1928, or at any other time prior to the approval of this Act, and upon which lands patents in fee have not been issued, is hereby reimposed and extended to July 9, 1942: *Provided*, That further extension of the period of trust may be made by the President, in his discretion, as provided by section 5 of the Act of February 8, 1887 (24 Stat. L. 388), and the Act of June 21, 1906 (34 Stat. L. 326).

Proviso.
Further extension permitted.
24 Stat., 389, vol. 1, 34; 34 Stat., 326, vol. 3, 194.

Approved, May 27, 1937.

May 28, 1937.
[H. R. 6730.]
50 Stat., 213.

CHAP. 277.—An Act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1937, and June 30, 1938, and for other purposes

Second Deficiency Appropriation Act, fiscal year 1937.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1937, and June 30, 1938, and for other purposes, namely:

* * * * * * *

Department of the Interior.

DEPARTMENT OF THE INTERIOR

* * * * * * *

BUREAU OF INDIAN AFFAIRS

Indian Affairs Bureau.
Indians of Sioux Reservations.
25 Stat., 895, vol. 1, 328.

Payment to Indians of Sioux Reservations: For payment of Sioux benefits to Indians of the Sioux Reservations, as authorized by the Act of March 2, 1889 (25 Stat. 895), as amended, fiscal year 1935, $412.65.

Suppressing contagious diseases among livestock, Mescalero Reservation, N. Mex.

Suppressing contagious diseases among livestock of Indians: For reimbursing Indians of the Mescalero Reservation, New Mexico, for stock destroyed on account of being infected with Malta fever and for expenses in connection with the eradication and prevention of this disease, fiscal year 1937, $7,500, to be expended under such rules and

regulations as the Secretary of the Interior may prescribe and to remain available until June 30, 1938.

San Xavier irrigation project, Ariz.

Operation and maintenance, San Xavier irrigation project, Arizona (tribal funds): For operation and maintenance of the irrigation project on the San Xavier Reservation, Arizona, fiscal year 1936, to remain available until June 30, 1938, $500, payable from the funds derived from the rental of San Xavier tribal lands for motion-picture enterprises.

Colorado River Reservation, Ariz., irrigation system.

Improvement and maintenance, irrigation system, Colorado River Reservation, Arizona (reimbursable): For an additional amount for improvement, operation, and maintenance of the pumping plants and irrigation system on the Colorado River Indian Reservation, Arizona, as provided by the Act of April 4, 1910 (36 Stat. 273), fiscal year 1937, $6,500, reimbursable.

36 Stat., 273, vol. 3, 432.

Zuni Dam, N. Mex.
49 Stat., 1768; ante, 483.

Irrigation, Indian reservations (reimbursable): For repairs to the Zuni Dam, Zuni Indian Pueblo, New Mexico, fiscal year 1937, to remain available until June 30, 1938, $80,000, reimbursable.

Point Barrow Hospital, Alaska, construction, etc.
Proviso.
Insurance covered into Treasury.

Construction and equipment, Point Barrow Hospital, Alaska: For the construction and equipment of a hospital at Point Barrow, Alaska, $100,000, to remain available until June 30, 1938: *Provided*, That any money received from insurance on the Point Barrow Hospital building destroyed by fire shall be covered into the Treasury to the credit of miscellaneous receipts.

New vessel, Indian Service, Alaska.

New vessel for Indian Service, Alaska, emergency construction: For an additional amount for construction of a new vessel with a carrying capacity of not less than 1,300 tons, to take the place of the Boxer, fiscal year 1931, $222.54.

Chippewas in Minnesota.
Hospital for, from tribal funds.

Support of hospitals, Chippewas in Minnesota (tribal funds): For an additional amount for support of hospitals maintained for the benefit of the Chippewa Indians in the State of Minnesota, fiscal year 1937, $9,000, payable from the principal sum on deposit to the credit of said Indians arising under section 7 of the Act of January 14, 1889 (25 Stat. 645).

25 Stat., 645, vol. 1, 305.

Annette Island Reserve, Alaska, expenses.

Expenses, Annette Island Reserve, Alaska (receipt limitation): For an additional amount for pay of employees, village improvements, relief of destitution, and such other purposes as may be requested by the town council of Matlakahtla, Annette Island Reserve, Alaska, and approved by the Secretary of the Interior, fiscal year 1937, to remain available until June 30, 1938, $40,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Proviso.
Limitation.
48 Stat., 1227; ante, 389.
31 U. S. C., § 725c.

* * * * * * *

AUDITED CLAIMS

Audited claims.

Payment of.

SEC. 4. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations theretofore treated as permanent, being for the service of the fiscal year 1934 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in House Document Numbered 216, Seventy-fifth Congress, there is appropriated as follows:

18 Stat., 110.
31 U. S. C., § 713.

23 Stat., 254.
5 U. S. C., § 266.

* * * * * * *

Department of the Interior.

Department of the Interior:

* * * * * * *

For purchase and transportation of Indian supplies, $282.23.
For Indian school support, $537.70.
For Indian school transportation, $118.35.
For conservation of health among Indians, $528.54.
For medical relief in Alaska, $1.85.
For Indian agency buildings, $2.12.
For Indian boarding schools, $1,556.76.
For support of Indians and administration of Indian property, $263.85.
For education of natives of Alaska, $15.28.
For suppressing liquor traffic among Indians, $6.
For improvement, maintenance, and operation, irrigation system, Crow Reservation, Montana, $5.36.
For irrigation, Indian reservations, $5.14.
Department of the Interior: For fulfilling treaties with Sioux of different tribes, including Santee Sioux of Nebraska, North Dakota, and South Dakota, $39.20.
For administration of Indian forests, $71.92.
For pay of Indian police, $35.99.
For education, Sioux Nation, $375.81.
For obtaining employment for Indians, $2.90.
For Indian school buildings, $5.60.

* * * * * * *

Approved, May 28, 1937.

May 28, 1937.
[H. R. 6249.]
50 Stat., 239.

CHAP. 280.—An Act To reserve certain lands in the State of Utah for the Kanosh Band of Paiute Indians

Kanosh Indian Reservation, Utah.
Area enlarged.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundary of the Kanosh Indian Reservation in Utah is hereby extended to include the west half of the northwest quarter of section 1, and the northeast quarter of section 22, township 23 south, range 5 west, Salt Lake meridian: *Provided*, That the Secretary of the Interior shall designate a stock driveway across said reservation not to exceed six hundred and sixty feet in width. The said driveway shall be staked and shall be used in accordance with rules and regulations which may be prescribed by the Secretary of the Interior. Valid rights in the above lands initiated prior to the approval hereof shall not be affected by this Act.

Proviso.
Stock driveway.

Prior rights not affected.

Approved, May 28, 1937.

May 28, 1937.
[H. R. 6250.]
50 Stat., 239.

CHAP. 281.—An Act To reserve certain lands in the State of Utah for the Shivwitz Band of Paiute Indians

Shivwitz Indian Reservation, Utah.
Area enlarged.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundary of the Shivwitz Indian Reservation in Utah is hereby extended to include the south half of section 14, and the south half of section 15, and section 16, township 41 south, range 17 west, Salt Lake meridian: *Provided*, That the Secretary of the Interior shall designate a stock driveway across said reservation not to exceed six hundred and sixty feet in width, from a point on the east line of section 23, township 41

Proviso.
Stock driveway.

south, range 17 west, in a northwesterly direction through Jacob's Twist to an exit through section 16, township 41 south, range 17 west, Salt Lake meridian. The said driveway shall be staked and shall be used in accordance with rules and regulations which may be prescribed by the Secretary of the Interior.

Prior rights not affected.

Valid rights in the above lands initiated prior to the approval hereof shall not be affected by this Act. Any lands not belonging to the United States within the described area may be exchanged for other lands outside said area under the terms and conditions of the Act of May 3, 1902 (32 Stat. L. 188), or the Act of June 28, 1934 (48 Stat. L. 1269), as amended, and any lands so acquired by the United States shall become a part of the said reservation.

Exchange of lands.

32 Stat., 188; vol. 1,750. 48 Stat., 1269; ante, 390.

Approved, May 28, 1937.

CHAP. 283.—An Act To reserve certain lands in the State of Utah for the Koosharem Band of Paiute Indians

May 28, 1937. [H. R. 6252.]
50 Stat., 241.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundary of the Koosharem Indian Reservation in Utah is hereby extended to include the east half of section 8, township 27 south, range 1 west, Salt Lake meridian. Valid rights in the above lands initiated prior to the approval hereof shall not be affected by this Act.

Koosharem Indian Reservation, Utah. Area enlarged.

Prior rights not affected.

Approved, May 28, 1937.

CHAP. 396.—An Act Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1938, and for other purposes

June 28, 1937. [H. R. 4064.]
50 Stat., 329.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1938, namely:

Independent Offices Appropriation Act, 1938.

* * * * * * *

SMITHSONIAN INSTITUTION

Smithsonian Institution.

* * * * * * *

American ethnology: For continuing ethnological researches among the American Indians and the natives of Hawaii, the excavation and preservation of archeologic remains under the direction of the Smithsonian Institution, including necessary employees, the preparation of manuscripts, drawings, and illustrations, the purchase of books and periodicals, and traveling expenses, $58,730.

American ethnology.

* * * * * * *

Approved, June 28, 1937.

CHAP. 404.—An Act Making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1938, and for other purposes

June 29, 1937. [H. R. 6523.]
50 Stat., 395.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Agriculture and for the

Department of Agriculture and Farm Credit Administration appropriations, fiscal year 1938.

Farm Credit Administration for the fiscal year ending June 30, 1938, namely:

Title I—Department of Agriculture.

TITLE I—DEPARTMENT OF AGRICULTURE

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Public Roads Bureau.

BUREAU OF PUBLIC ROADS

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Public-lands highways.

PUBLIC-LANDS HIGHWAYS

Construction, etc.

For the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations, under the provisions of the Act of June 24, 1930 (U. S. C., title 23, sec. 3), $2,500,000, to be immediately available and to remain available until expended, which sum is the amount authorized for the fiscal year 1938 by section 3 of the Act approved June 16, 1936 (49 Stat., p. 1520): *Provided*, That the authorization of $2,500,000 for the survey, construction, reconstruction, and maintenance of public-lands highways, made applicable to the fiscal year 1938 by the Agricultural Appropriation Act, fiscal year 1937, is hereby canceled.

46 Stat., 805; post, 633.
23 U. S. C., § 3.

49 Stat., 1520; ante, 470.

Proviso.
Authorization, 1938, canceled.

49 Stat., 1448; ante, 468.

* * * * * * *

Approved, June 29, 1937.

June 29, 1937.
[H. R. 7328.]
50 Stat., 441.

CHAP. 406.—An Act To authorize an appropriation to carry out the provisions of the Act of May 3, 1928 (45 Stat. L. 484), and for other purposes

Sioux Indians of Pine Ridge Reservation, S. Dak.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an appropriation is hereby authorized in the sum of $79,038 to pay various Sioux Indians of the Pine Ridge Reservation, South Dakota, the amounts which have been awarded to them by the Secretary of the Interior under the Act of May 3, 1928 (45 Stat. L. 484), on account of allotments of land to which they were entitled but did not receive: *Provided*, That the Secretary of the Interior is authorized and directed to determine what attorney or attorneys have rendered services of value in behalf of said Indians and to pay such attorney or attorneys on such findings when appropriation is available the reasonable value of their services, not to exceed 10 per centum of the recovery on each individual claim, which payment shall be in full settlement for all services rendered by the attorney or attorneys to the claimants in such claim.

45 Stat., 484; ante, 43.

Proviso.
Attorneys' fees.

Approved, June 29, 1937.

July 28, 1937.
[S. 1806.]
50 Stat., 536.

CHAP. 527.—An Act To extend the boundaries of the Papago Indian Reservation in Arizona

Papago Indian Reservation, Ariz.
Area enlarged.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever all privately owned lands except mining claims within the following-described area have been purchased and acquired as hereinafter authorized, the boundary of the Papago Indian Reservation in Arizona shall be extended to include the west half of section 4; west half of section 9, township 17 south, range 8 east; all of township 18 south, range 2 west, all of fractional township 19 south, range 2

Lands added.

west; and all of fractional townships 18 and 19 south, range 3 west, except sections 6, 7, 18, 19, 30, and 31 in township 18 south, range 3 west, Gila and Salt River meridian. This extension shall not affect any valid rights initiated prior to the approval hereof nor the reservation of a strip of land sixty feet wide along the United States-Mexico boundary made by proclamation of the President dated May 27, 1907 (35 Stat. 2136). The lands herein described when added to the Papago Indian Reservation as provided in this Act shall become a part of said reservation in all respects and upon all the same terms as if said lands had been included in the Executive order issued by the President on February 1, 1917: *Provided*, That lands acquired hereunder shall remain tribal lands and shall not be subject to allotment to individual Indians.

Prior rights not affected.

Mexican boundary strip.

35 Stat., 2136; vol. 4, 1008.

Proviso.
Acquisitions to remain tribal lands, etc.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to purchase for the use and benefit of the Papago Indians with any available funds heretofore or hereafter appropriated pursuant to authority contained in section 5 of the Act of June 18, 1934 (48 Stat. 984), all privately owned lands, water rights, and reservoir site reserves within townships 18 and 19 south, ranges 2 and 3 west, together with all grazing privileges and including improvements upon public lands appurtenant to the so-called Menager Dam property, at the appraised value of $40,016.37.

Purchase of lands for use of Indians.

48 Stat., 984; ante, 378.

Menager Dam property.

SEC. 3. The State of Arizona may relinquish in favor of the Papago Indians such tracts within the townships referred to in section 1 of this Act as it may see fit and shall have the right to select other unreserved and nonmineral public lands within the State of Arizona equal in area to those relinquished, said lieu selections to be made in the same manner as is provided for in the Enabling Act of June 20, 1910 (36 Stat. 558), or in the discretion of the State of Arizona under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1269), as amended and supplemented by the Act of June 26, 1936 (49 Stat. 842). The payment of fees or commissions is hereby waived in all lieu selections made pursuant to this section.

Tracts relinquished by State; lieu selections.

36 Stat., 557, vol. 3, 467.
48 Stat., 1272; ante, 392; 49 Stat., 1976 ante, 499.
43 U. S. C., § 315g; Supp. II, § 315g.

Approved, July 28, 1937.

CHAP. 529.—An Act Providing for the sale of the two dormitory properties belonging to the Chickasaw Nation or Tribe of Indians, in the vicinity of the Murray State School of Agriculture at Tishomingo, Oklahoma

July 28, 1937.
[S. 2587.]
50 Stat., 537.

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 shall take possession of, and appraise and sell, under such rules and regulations as may be prescribed by him, the two dormitories, together with the lands upon which they are located and the furniture, therein, belonging to the Chickasaw Nation or Tribe of Indians, in the vicinity of the Murray State School of Agriculture at Tishomingo, Oklahoma, which lands were acquired and which dormitories were erected and equipped, under the Acts of Congress of March 2, 1917 (39 Stat. L. 983), and May 25, 1918 (40 Stat. L. 584), and he shall deposit the proceeds in the Treasury of the United States to the credit of the Chickasaw Nation, less expenses incident to the appraisement and sale of such properties, including reasonable compensation to special attorneys for services rendered in connection with such sale acting under the direction of the Governor of the Chickasaw Nation, such compensation to be fixed and paid by the Secretary of the Interior; and immediately after such sale, patents conveying such properties shall be made and delivered in the same manner as now provided by law for the conveyance of other tribal

Chickasaw Indians, Okla.
Sale of certain dormitory properties authorized.

39 Stat., 983, vol. 4, 121; 40 Stat. 584, vol. 4, 170.
Proceeds to credit of Indians.

Attorneys, compensation.

Proviso.
Preference to State to purchase properties.

properties: *Provided*, That preference right shall be given the State of Oklahoma to purchase said dormitory properties at a price to be agreed upon between the Secretary of the Interior and the Board of Regents of the Murray State School of Agriculture, in accordance with the Senate Concurrent Resolution passed by the Sixteenth Legislature of the State of Oklahoma.

Approved, July 28, 1937.

August 9, 1937.
[H. R. 6958.]
50 Stat., 564.

CHAP. 570.—An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1938, and for other purposes

Interior Department Appropriation Act, 1938.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1938, namely:

Secretary's office.

OFFICE OF THE SECRETARY

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CONTINGENT EXPENSES, DEPARTMENT OF THE INTERIOR

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Professional, etc., books, periodicals, etc.

For the purchase or exchange of professional and scientific books, law and medical books, and books to complete broken sets, periodicals, directories, and other books of reference relating to the business of the Department, $600, and in addition there is hereby made available from any appropriations made for any bureau or office of the Department not to exceed the following respective sums: Indian Service, $500; Office of Education, $2,500; Bureau of Reclamation, $2,000; Geological Survey, $6,000; National Park Service, $2,000; General Land Office $500; Bureau of Mines, $3,000.

Additional sums for designated offices.

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General Land Office.

GENERAL LAND OFFICE

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General expenses.

GENERAL EXPENSES

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Oil and gas royalties.
Payment to Oklahoma from, south half of Red River.
42 Stat., 1448.
30 U. S. C., § 233.
In lieu of State, etc., taxes.

Payment to Oklahoma from royalties, oil and gas, south half of Red River: For payment of 37½ per centum of the royalties derived from the south half of Red River in Oklahoma under the provisions of the Act of March 4, 1923 (U. S. C., title 30, sec. 233), which shall be paid to the State of Oklahoma in lieu of all State and local taxes upon tribal funds accruing under said Act, to be expended by the State in the same manner as if received under section 35 of the Act approved February 25, 1920 (U. S. C., title 30, sec. 191), $8,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

41 Stat., 450.
30 U. S. C., § 191.

Proviso.
Limitation.

Indian Affairs Bureau.

BUREAU OF INDIAN AFFAIRS

SALARIES

Commissioner, and office personnel.

For the Commissioner of Indian Affairs and other personal services in the District of Columbia, $508,470.

GENERAL EXPENSES

General expenses.

Traveling, etc., expenses.
Radio, etc., tolls.

For transportation and incidental expenses of officers and clerks of the Bureau of Indian Affairs when traveling on official duty; for radio, telegraph, and telephone toll messages on business pertaining to the Indian Service sent and received by the Bureau of Indian Affairs at Washington, and for other necessary expenses of the Indian Service for which no other appropriation is available, $32,000.

Supplies; purchase, transportation, etc.

For advertising, inspection, storage, and all other expenses incident to the purchase of goods and supplies for the Indian Service and for payment of railroad, pipe-line, and other transportation costs of such goods and supplies, $700,000: *Provided*, That no part of this appropriation shall be used in payment for any services except bill therefor is rendered within one year from the time the service is performed.

Proviso.
Restriction on payments.

Judges, Indian police, etc.

For pay of judges of Indian courts, pay of Indian police, and pay of employees engaged in the suppression of the traffic in intoxicating liquors, marihuana, and deleterious drugs among Indians, including traveling expenses, supplies, and equipment, $216,540.

Agency buildings.
Lease, purchase, etc.

For lease, purchase, construction, repair, and improvement of agency buildings, exclusive of hospital buildings, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $170,000: *Provided*, That no part of this appropriation shall be available for the construction of any building, the total cost of which is in excess of $1,500.

Proviso.
Limit on construction costs.

Tribal organizations, expenses.
48 Stat., 986; ante, 379.
25 U. S. C., § 476.

For expenses of organizing Indian chartered corporations, or other tribal organizations, in accordance with the provisions of the Act of June 18, 1934 (48 Stat., p. 986), including personal services, purchase of equipment and supplies, not to exceed $3,000 for printing and binding, and other necessary expenses, $130,000, of which not to exceed $25,000 may be used for personal services in the District of Columbia: *Provided*, That in the discretion of the Secretary of the Interior, not to exceed $3 per diem in lieu of subsistence may be allowed to Indians actually traveling away from their place of residence when assisting in organization work: *Provided further*, That no part of this appropriation shall be available for expenditure in that part of the State of New Mexico embraced in the Navajo Indian Reservation, and not to exceed $15,000 shall be available for expenditure in said State.

Services in the District.

Provisos.
Travel allowance.

Expenditure in New Mexico.

Vehicles, maintenance, etc.

Vehicles, Indian Service: Not to exceed $460,000 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for the use of employees in the Indian field service, and the transportation of Indian school pupils, and not to exceed $190,000 of applicable appropriations may be used for the purchase and exchange of motor-propelled passenger-carrying vehicles, and such vehicles shall be used only for official service, including the transportation of Indian school pupils.

Transportation of Indian pupils.
Vehicles, purchases limited.

Emergency replacement of property.

Replacement of property destroyed by fire, flood, or storm: That to meet possible emergencies not exceeding $35,000 of the appropriations made by this Act for support of reservation and nonreservation schools, for school and agency buildings, and for conservation of health among Indians shall be available, upon approval of the Secretary of the Interior, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Indian Service above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: *Provided*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Proviso.
Report of diversions to Congress.

Attendance at meetings.

Authorization for attending health and educational meetings: Not to exceed $7,000 shall be available from applicable funds for expenses (not membership fees) of employees of the Indian Service when authorized by the Secretary of the Interior to attend meetings of medical, health, educational, agricultural, forestry, engineering, and industrial associations in the interest of work among the Indians.

Indian lands.

INDIAN LANDS

Pueblo Indians, N. Mex.
Land and water rights, etc.
Reappropriation from tribal funds.
49 Stat., 1764; ante, 480.

Purchase of land and water rights, and so forth, Pueblo Indians, New Mexico (tribal funds): The unexpended balances of appropriations heretofore made, from the trust funds of the several pueblos, for the purchase of land and water rights, purchase of equipment for industrial advancement and fencing, irrigating, and improving lands, are hereby continued available, for the same purposes until June 30, 1938, and for such other purposes, except per-capita payments, as may be recommended by the governing officials of the particular pueblos involved, and be approved by the Commissioner of Indian Affairs.

Per-capita payments excepted.

Pueblo Indians, N. Mex., compensation to.

Compensation to Pueblo Indians, New Mexico: For the second of three installments for additional compensation to the Pueblo Indians of New Mexico, for loss of land and water rights, and in settlement of the liability of the United States to said Pueblos as declared by the Act of June 7, 1924 (43 Stat., p. 636), and as authorized by the Act of May 31, 1933 (48 Stat., p. 109), $253,960.61, which amount shall be deposited in the Treasury of the United States to the credit of the following-named pueblos:

43 Stat., 636; vol. 4, 454; 48 Stat., 109; ante, 337.

Pueblos designated.

Jemez, $628.33; Nambe, $15,813.17; Taos, $28,235.70; Santa Ana, $969.46; Santo Domingo, $1,418.85; Sandia, $4,326.87; San Felipe, $4,984.84; Isleta, $15,917.10; Picuris, $22,191.47; San Ildefonso, $12,352.76; San Juan, $51,287.68; Santa Clara, $60,371.39; Cochiti, $12,608.79; Pojoaque, $22,854.20: *Provided*, That expenditures may be made from the foregoing sums, as authorized by the Act of May 31, 1933, for the purchase of lands and water rights, purchase or construction of reservoirs, irrigation works, or other permanent improvements upon or for the benefit of the lands of said pueblos and for such other purposes, except per capita payments, as may be recommended by the governing officials of the particular pueblos involved, and be approved by the Commissioner of Indian Affairs.

Proviso.
Acquisition of lands, water rights, etc.
48 Stat., 109; ante, 337.

Compensation to non-Indian claimants, Pueblo lands.
49 Stat., 1459; ante, 470; 43 Stat., 636, vol. 4, 454.

Compensation to non-Indian claimants, Pueblo Indian lands, New Mexico: For carrying out the provisions of the Act of June 4, 1936 (49 Stat., p. 1459), in supplemental settlement of the liability of the United States to non-Indian claimants on Indian Pueblo grants whose claims, extinguished under the Act of June 7, 1924, have been found entitled to awards under said Act, as supplemented by the Act of May 31, 1933 (48 Stat., p. 108), $3,071.24, to remain available until June 30, 1939, to be apportioned to claimants within the several pueblos as follows: San Ildefonso, $141.88; San Juan, $244.20; Nambe, $456.40; Sandia, $1,292.21; Cochiti, $936.55: *Provided*, That the unexpended balance of the appropriation contained in the Fourth Deficiency Act, fiscal year 1933, and subsequently continued available until June 30, 1936, for carrying out the provisions of the Act of May 31, 1933, is hereby continued available until June 30, 1938.

Awards.

48 Stat., 108; ante, 336.
Apportionment.

Proviso.
Balance available.
48 Stat., 277; ante, 341; 49 Stat., 183, 1765; ante, 408, 481.
48 Stat., 108; ante, 336.

Navajo Indians, Ariz..
Purchase of lands.
Reappropriation.
48 Stat., 1033; ante, 384.

Purchase of land for the Navajo Indians, Arizona, reimbursable: The unexpended balance of the appropriation contained in the Deficiency Appropriation Act, fiscal year 1934, for the purchase of land, and improvements thereon, including water rights, for the Navajo Indians in Arizona, as authorized by and in conformity with

the provisions of the Act of June 14, 1934 (48 Stat., p. 961), is hereby continued available for the same purposes until June 30, 1938.

48 Stat., 961; ante, 348.

Purchase of improvements belonging to certain Navajo Indians, Arizona (tribal funds): For purchase of improvements belonging to Navajo Indians residing on public-domain allotments in Arizona outside the area described in the Act of June 14, 1934 (48 Stat., p. 960), establishing the boundary of the Navajo Reservation in Arizona, and consolidating the Indian holdings within, and non-Indian holdings outside of, the reservation, $7,315, payable from funds deposited to the credit of the Navajo Tribe.

Navajo Indians, Ariz., purchase of improvements of.

48 Stat., 960; ante, 348.

Purchase of land for Navajo Indians, Utah (tribal funds): For the purchase of lands and improvements thereon, and of improvements on former public-domain lands, within additions made to the Navajo Reservation, Utah, by Executive order of May 15, 1905, and the Act of March 1, 1933 (47 Stat., p. 1418), $20,000, payable from funds deposited to the credit of the Navajo Tribe.

Navajos in Utah, purchase of land.

47 Stat., 1418; ante, 326.

Leasing of lands for Navajo Indians (tribal funds): For lease, pending purchase, of land and water rights for the use and benefit of Indians of the Navajo Tribe in Arizona and New Mexico, $20,000, payable from funds on deposit to the credit of the Navajo Tribe.

Leasing lands and water rights.

For the acquisition of lands, interest in lands, water rights and surface rights to lands, and for expenses incident to such acquisition, in accordance with the provisions of the Act of June 18, 1934 (48 Stat., p. 985), including personal services, purchase of equipment and supplies, and other necessary expenses, $950,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1937, of which not to exceed $20,000 shall be available for personal services in the District of Columbia: *Provided*, That within the States of Arizona, New Mexico, and Wyoming no part of said sum shall be used for the acquisition of lands outside of the boundaries of existing Indian reservations: *Provided further*, That in addition to the amount herein appropriated the Secretary of the Interior may also incur obligations, and enter into contracts for the acquisition of additional land, not exceeding a total of $500,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for the acquisition of land pursuant to the authorization contained in the Act of June 18, 1934, shall be available for the purpose of discharging the obligation or obligations so created.

Acquisition of lands, etc.

48 Stat., 985; ante, 378.

Balance reappropriated.

49 Stat., 1765; ante, 481.

Provisos.
Use outside reservation restricted.

Contracts.

For payment of taxes, including penalties and interest, assessed against individually owned Indian land, title to which is held subject to restrictions against alienation or encumbrance except with the consent or approval of the Secretary of the Interior, when such land was purchased with trust or restricted funds with the understanding that after purchase it would be nontaxable, $25,000, to be immediately available and to be expended in accordance with the terms of the Act of June 20, 1936 (49 Stat., p. 1542).

Redemption of restricted land subject to taxation.

49 Stat., 1542; ante, 471.

For payment, pursuant to the provisions of the Act of May 15, 1936 (49 Stat., p. 1272), to the Confederated Bands of Ute Indians in full compensation as to claim for the principal sum for sixty-four thousand five hundred and sixty acres of land in western Colorado set aside as a naval oil reserve by Executive orders dated December 6, 1916, and September 27, 1924, $161,400: *Provided*, That in the discretion of the Secretary of the Interior, and with the approval of the tribe expressed through its tribal council, not more than $100,000 of the amount apportioned to the Indians of the Uintah and Ouray Reserva-

Confederated Bands of Ute Indians, payment to.

49 Stat., 1272; ante, 466.

Proviso.
Acquisition of privately owned lands.

Additional from tribal funds.

tion, Utah, together with $100,000 additional from tribal funds now on deposit to the credit of the Ute Indians in Utah, may be expended for the acquisition of privately owned lands or interests therein, together with the improvements thereon, and of improvements on former public-domain lands, for said Indians.

Cheyenne River Reservation, S. Dak., purchase of land, etc.

Purchase of land, Cheyenne River Reservation, South Dakota (tribal funds): For the purchase of Indian-owned and privately owned land, and improvements thereon, in the Cheyenne River Reservation, South Dakota, $12,500, payable from funds on deposit to the credit of the Cheyenne River Indians: *Provided*, That title to any land or improvements so purchased shall be taken in the name of the United States in trust for the Cheyenne River Tribe.

Proviso. Title to land.

Landless Indians in California, purchase of land for. 43 Stat., 1101, vol. 4, 483. 48 Stat., 1228; ante, 390.

The unexpended balance of $5,004.25 of the appropriation "Purchase of land for landless Indians in California, Act of March 3, 1925, special fund", which appropriation was repealed by section 4 (b 24) of the Permanent Appropriation Repeal Act, 1934 (48 Stat. 1227), is hereby reappropriated and made available until expended for payment of obligations heretofore incurred or to be incurred hereafter in the acquisition of land in California, with such improvements as may be appurtenant thereto, for the relief of homeless Indians of that State.

Industrial assistance and advancement.

INDUSTRIAL ASSISTANCE AND ADVANCEMENT

Timber preservation, etc.

For the preservation of timber on Indian reservations and allotments other than the Menominee Indian Reservation in Wisconsin, the education of Indians in the proper care of forests, and the general administration of forestry and grazing work, including fire prevention and payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires, or taking or otherwise destroying timber, in contravention of law on Indian lands, $275,000: *Provided*, That this appropriation shall be available for the expenses of administration of Indian forest lands from which timber is sold to the extent only that proceeds from the sales of timber from such lands are insufficient for that purpose.

Provisos. Forest land administration, from proceeds of sales, etc.

Timber sales, etc., expenses; reimbursable.

For expenses incidental to the sale of timber, and for the expenses of administration, including fire prevention, of Indian forest lands from which such timber is sold to the extent that the proceeds of such sales are sufficient for that purpose, $120,000, reimbursable to the United States as provided in the Act of February 14, 1920 (U. S. C., title 25, sec. 413): *Provided*, That this appropriation shall be available for the payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires, or taking or otherwise destroying timber, in contravention of law.

41 Stat., 415, vol. 4, 238. 25 U. S. C., § 413. *Proviso.* Rewards for information.

Suppression, etc., of forest fires.

For the suppression or emergency prevention of forest fires on or threatening Indian reservations, $15,000, together with $25,000 from funds held by the United States in trust for the respective tribes of Indians interested: *Provided*, That not to exceed $50,000 of appropriations herein made for timber operations shall be available upon the approvel of the Secretary of the Interior, for fire-suppression or emergency prevention purposes: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Provisos. Additional amount available.

Report of diversions to Congress.

Geological Survey. Transfer of sum to, for supervising mining operations, etc. 26 Stat., 794, vol. 1, 56; 35 Stat., 312, 444, 783, vol. 3, 351; 356, 390, 444, 683.

For transfer to the Geological Survey for expenditures to be made in inspecting mines and examining mineral deposits on Indian lands and in supervising mining operations on restricted, tribal, and allotted Indian lands leased under the provisions of the Acts of February 28, 1891 (U. S. C., title 25, secs. 336, 371, 397), May 27, 1908 (35 Stat., p.

312), March 3, 1909 (U. S. C., title 25, sec. 396), and other Acts authorizing the leasing of such lands for mining purposes, $80,000.

25 U. S. C., §§ 336, 371, 396, 397.

For the purpose of obtaining remunerative employment for Indians, $40,000.

Obtaining employment for Indians.

For the purpose of developing agriculture and stock raising among the Indians, including necessary personnel, traveling and other expenses, and purchase of supplies and equipment, $625,000, of which not to exceed $15,000 may be used to conduct agricultural experiments and demonstrations on Indian school or agency farms and to maintain a supply of suitable plants or seed for issue to Indians, and not to exceed $30,000 may be used for the operation and maintenance of a sheep-breeding station on the Navajo Reservation: *Provided*, That the unexpended balance of the appropriation of $60,000 contained in the Interior Department Appropriation Act, fiscal year 1936, for the establishment of a sheep-breeding station on the Navajo Reservation, is continued available during the fiscal year 1938 for the construction of quarters for employees assigned to such station.

Agriculture and stock raising.

Agriculture experiments and demonstrations.

Navajo sheep-breeding station.

Proviso.
Balance reappropriated.

49 Stat., 184; ante, 409.

Construction of employees' quarters.

For the purpose of encouraging industry and self-support among the Indians and to aid them in the culture of fruits, grains, and other crops, $215,000, which sum may be used for the purchase of seeds, animals, machinery, tools, implements, and other equipment necessary, and for advances to Indians having irrigable allotments to assist them in the development and cultivation thereof, in the discretion of the Secretary of the Interior, to enable Indians to become self-supporting: *Provided*, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1943, except in the case of loans on irrigable lands for permanent improvement of said lands, in which the period for repayment may run for not exceeding twenty years, in the discretion of the Secretary of the Interior: *Provided further*, That except for the Navajo Indians in Arizona and New Mexico not to exceed $25,000 of the amount herein appropriated shall be expended on any one reservation or for the benefit of any one tribe of Indians: *Provided further*, That the Secretary of the Interior is hereby authorized, in his discretion and under such rules and regulations as he may prescribe, to make advances from this appropriation to old, disabled, or indigent Indian allottees, for their support, to remain a charge and lien against their land until paid: *Provided further*, That not to exceed $15,000 may be advanced to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That not to exceed $50,000 may be advanced to the Navajo Tribe of Indians for the purchase, feeding, sale, or other disposition of sheep, goats, and other livestock belonging to the Navajo Indians.

Encouraging industry, etc.

Provisos.
Conditions for repayment.

Loans on irrigable lands.

Limitation; exception.

Advances to old, etc., allottees.

Advances to young students; repayment.

Purchase, disposition of sheep and other livestock.

Industrial assistance (tribal funds): For the construction of homes for individual members of the tribes; the purchase for sale to them of seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support and burial, and Indians having irrigable allotments to assist them in the development and cultivation thereof, to be immediately available, $66,600, payable from tribal funds as follows: Seminole, Florida, $6,000; Fort Totten (Devils Lake), North Dakota, $600; Rosebud, South Dakota, $10,000; Sho-

Industrial assistance.
Constructing homes, purchase of seed, equipment, etc.
Advances to old, etc., allottees.

shone, Wyoming, $50,000; and the unexpended balances of funds available under this head in the Interior Department Appropriation Act for the fiscal year 1937, and the Act of June 27, 1932 (47 Stat., p. 335), are hereby continued available during the fiscal year 1938: *Provided*, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1943, except in the case of loans on irrigable lands for permanent improvement of said lands in which the period for repayment may run for not exceeding twenty years, in the discretion of the Secretary of the Interior, and advances to old, disabled, or indigent Indians for their support and burial, which shall remain a charge and lien against their land until paid: *Provided further*, That advances may be made to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions and advances so made shall be reimbursed in not to exceed eight years under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That all moneys reimbursed during the fiscal year 1938 shall be credited to the respective appropriations and be available for the purposes of this paragraph: *Provided further*, That funds available under this paragraph may be used for the establishment and operation of tribal enterprises when proposed by Indian tribes and approved by the Secretary of the Interior, and revenues derived therefrom shall be covered into the Treasury to the credit of the respective tribes.

49 Stat., 1767; ante, 482; 47 Stat., 335; ante, 288.

Provisos.
Conditions for repayment.

Loans on irrigable lands.

Advances to young students.

Reimbursement.

Credits and availability.

Tribal enterprises.

Use of revenues.

For an additional amount to be added to the appropriations heretofore made, for the establishment of a revolving fund for the purpose of making and administering loans to Indian chartered corporations in accordance with the act of June 18, 1934 (48 Stat., p. 986), and of making and administering loans to individual Indians and to associations or corporate groups of Indians of Oklahoma in accordance with the Act of June 26, 1936 (49 Stat., p. 1967), $520,000, of which amount not to exceed $125,000 shall be available for personal services in the District of Columbia and in the field, for purchase of equipment and supplies, and for other necessary expenses of administering such loans, including not more than $2,500 for printing and binding.

Revolving fund for loans to Indian corporations.
48 Stat., 986; ante, 379.

Making loans, etc.
49 Stat., 1967; ante, 468.

Services and supplies.

For the development, under the direction of the Commissioner of Indian Affairs, of Indian arts and crafts, as authorized by the Act of August 27, 1935 (49 Stat., p. 891), including personal services, purchase and transportation of equipment and supplies, purchase of periodicals, directories, and books of reference, purchase and operation of motor-propelled passenger-carrying vehicles, telegraph and telephone services, cost of packing, crating, drayage, and transportation of personal effects of employees upon permanent change of station, expenses of exhibits and of attendance at meetings concerned with the development of Indian arts and crafts, traveling expenses, including payment of actual transportation expenses and not to exceed $10 per diem in lieu of subsistence and other expenses of members of the Indian Arts and Crafts Board, serving without other compensation from the United States, while absent from their homes, not to exceed $2,500 for printing and binding, and other necessary expenses, $42,500, of which not to exceed $16,000 shall be available for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be used to pay any salary at a rate exceeding $7,500 per annum.

Indian arts and crafts.
49 Stat., 891; ante, 445.

Indian Arts and Crafts Board, expenses.

Printing and binding.

Services in the District.

Proviso.
Salary restriction.

DEVELOPMENT OF WATER SUPPLY

Water supply.

Developing water supply: For developing and conserving water for domestic and stock purposes on lands of the Navajo and Hopi Indians in Arizona and New Mexico, the Papago Indians in Arizona, and the Pueblo Indians of New Mexico, including the purchase and installation of pumping machinery, and other necessary equipment, and for operation and maintenance thereof, $70,000.

Developing and conserving, in Arizona and New Mexico.

IRRIGATION AND DRAINAGE

Irrigation and drainage.

For the construction, repair, and maintenance of irrigation systems, and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian reservations and allotments; for operation of irrigation systems or appurtenances thereto when no other funds are applicable or available for the purpose; for drainage and protection of irrigable lands from damage by floods or loss of water rights, upon the Indian irrigation projects named below, in not to exceed the following amounts, respectively:

Construction, maintenance, etc.

Miscellaneous projects, $23,000; Arizona: Ak Chin, $4,000; Chiu Chui, $4,000; Ganado, $1,500, together with $1,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; Navajo and Hopi, miscellaneous projects, Arizona and New Mexico, $6,500; Salt River, $5,000; San Xavier, $2,000; California: Coachella Valley, $1,000; Morongo, $4,000; Pala and Rincon, $2,000, together with $2,000, from which expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said Repeal Act; Colorado: Southern Ute, $11,000, together with $4,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the said Repeal Act; Nevada: Pyramid Lake, $3,000; Walker River, $5,000; Western Shoshone, $4,000; New Mexico: Miscellaneous Pueblos, $25,000; Washington: Colville, $3,500, together with $500, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said Repeal Act; Lummi Diking Project, $1,000, together with $2,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said Repeal Act;

Projects.

Limitation.
48 Stat., 1227; ante, 389.
31 U. S. C. § 725c.

For necessary miscellaneous expenses incident to the general administration of Indian irrigation projects, including pay of employees and their traveling and incidental expenses, $60,000;

Administrative expenses.

In all, for irrigation on Indian reservations, not to exceed $175,000, reimbursable: *Provided*, That the foregoing amounts shall be available interchangeably, in the discretion of the Secretary of the Interior, for the necessary expenditures for damages by floods and other unforeseen exigencies, but the amount so interchanged shall not exceed in the aggregate 10 per centum of all the amounts so appropriated: *Provided further*, That the cost of irrigation projects and of operating and maintaining such projects where reimbursement thereof is required by law shall be apportioned on a per-acre basis against the lands under the respective projects and shall be collected by the Secretary of the Interior as required by such law, and any unpaid charges outstanding against such lands shall constitute a first lien thereon which shall be recited in any patent or instrument issued for such lands.

Total; reimbursable.

Provisos.
Amounts interchangeable.

Limitation.

Apportionment of expenses on per-acre basis.

Unpaid charges a first lien.

San Carlos project, Ariz.
Maintenance, etc.

For operation and maintenance of the San Carlos project for the irrigation of lands in the Gila River Indian Reservation, Arizona, including not to exceed $2,000 for purchase of land, $76,300, reimbursable, together with $112,200 (operation and maintenance collections) and $161,000 (power revenues), of which latter sum not to exceed $25,000 shall be available for major repairs in case of unforeseen emergencies caused by fire, flood, or storm, from which amounts $112,200 and $161,000, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, $349,500.

Emergencies.

Limitation.

48 Stat., 1227; ante, 389.
31 U. S. C. § 725c.

Pima Indians, Ariz.
Subjugation and cropping operations on lands of.

For continuing subjugation and for cropping operations on the lands of the Pima Indians in Arizona, there shall be available so much as may be necessary of the revenues derived from these operations and deposited into the Treasury of the United States to the credit of such Indians, and such revenues are hereby made available for payment of irrigation operation and maintenance charges assessed against tribal or allotted lands of said Pima Indians in accordance with tribal resolution of June 16, 1937, and subject to the approval of the Secretary of the Interior, the Pima Indians are hereby authorized to employ an attorney and an accountant for the purpose of advising them in connection with the legality and equity of these operation and maintenance assessments at a cost of not to exceed $2,000 including all expenses connected therewith payable from tribal funds.

Irrigation operation, etc., charges.

Employment of attorney and accountant.

Colorado River Reservation, Ariz.
Maintenance, etc., of system.
36 Stat., 273, vol. 3. 432.
Reimbursable.

For improvement, operation, and maintenance of the pumping plants and irrigation system on the Colorado River Indian Reservation, Arizona, as provided in the Act of April 4, 1910 (36 Stat., p. 273), $17,000, reimbursable, together with $20,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat., 1227; ante, 389.
31 U. S. C. § 725c.

San Carlos Reservation, Ariz.
Operation, etc., of pumping plants.

Operation and maintenance, pumping plants, San Carlos Reservation, Arizona (tribal funds): For the operation and maintenance of pumping plants for the irrigation of lands on the San Carlos Reservation, in Arizona, $5,000, to be paid from the funds held by the United States in trust for the Indians of such reservation: *Provided*, That the sum so used shall be reimbursed to the tribe by the Indians benefited, under such rules and regulations as the Secretary of the Interior may prescribe.

Proviso.
Reimbursement.

Yuma Reservation, Calif.-Ariz.
Reclamation, etc., charges.

For reclamation and maintenance charges on Indian lands within the Yuma Reservation, California, and on ten acres within each of the eleven Yuma homestead entries in Arizona under the Yuma reclamation project, $53,338, reimbursable, together with $3,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Hall system, Idaho.
Maintenance, etc.

For improvements, maintenance, and operation of the Fort Hall irrigation system, Idaho, $23,000, together with $25,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Belknap Reservation, Mont.
Maintenance, etc., of system.
Limitation.

For maintenance and operation, repairs, and purchase of stored waters, irrigation systems, Fort Belknap Reservation, Montana, $14,800, reimbursable, together with $4,200 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Peck project, Mont.
Maintenance, etc.

For maintenance and operation of the several units of the Fort Peck project, Montana, including not to exceed four thousand acres

under the West Side Canal of the Poplar River Division, $7,000, reimbursable, together with $3,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Limitation.

For operation and maintenance of the irrigation systems on the Flathead Reservation, Montana, $12,000, reimbursable, together with $90,000 (operation and maintenance collections) and ($45,000 (power revenues), from which amounts of $90,000 and $45,000, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, $147,000.

Flathead Reservation, Mont.
Maintenance, etc.

For improvement, maintenance, and operation of the irrigation systems on the Crow Reservation, Montana, including maintenance assessments payable to the Two Leggins Water Users' Association and Bozeman Trail Ditch Company, Montana, properly assessable against lands allotted to the Indians and irrigable thereunder, $5,000, reimbursable, together with $35,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Crow Reservation, Mont.
Maintenance, etc.

For payment of annual installment of reclamation charges against Paiute Indian lands within the Newlands reclamation project, Nevada, $5,381; and for payment in advance, as provided by district law, of operation and maintenance assessments, including assessments for the operation of drains to the Truckee-Carson irrigation district, which district, under contract, is operating the Newlands reclamation project, $7,029, to be immediately available; in all, $12,410.

Newlands project, Nev.
Payment of charges against Paiute lands.

Drains to Truckee-Carson district.

For operation and maintenance of the Hogback irrigation project on that part of the Navajo Reservation in New Mexico under the jurisdiction of the Northern Navajo Agency, $15,000, reimbursable, together with $5,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Navajo Reservation, N. Mex.
Operation of Hogback project.

For maintenance and operation of the Fruitlands irrigation project, Navajo Reservation, New Mexico, $14,000, reimbursable, together with $4,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fruitlands project, N. Mex.
Maintenance, etc.

For operation and maintenance assessments on newly reclaimed Indian lands within the Middle Rio Grande conservancy district, New Mexico, $11,250, or so much thereof as may be necessary, reimbursable.

Middle Rio Grande conservancy district, N. Mex.
Maintenance, etc.

For improvements, maintenance, and operation of miscellaneous irrigation projects on the Klamath Reservation, $1,000, reimbursable, together with $4,000, from which amount expenditures shall not exceed the aggregate receipts from operation and maintenance collections on the Sand Creek and Modoc Point units covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Klamath Reservation, Oreg.
Operation of projects on.

For continuing operation and maintenance and betterment of the irrigation system to irrigate allotted lands of the Uncompahgre, Uintah, and White River Utes in Utah, authorized under the Act of June 21, 1906 (34 Stat., p. 375), $20,000, reimbursable, together with $38,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Uncompahgre, etc., Utes, Utah.
Irrigating allotted lands.
34 Stat., 375, vol. 3, 242.
Reimbursable.

For operation and maintenance of the Wapato irrigation and drainage system, and auxiliary units thereof, Yakima Indian Reservation,

Yakima Reservation, Wash.
Wapato system, maintenance, etc.

Washington, $1,000, reimbursable, together with $156,000 (collections from the water users on the Wapato-Satus, Toppenish-Simcoe, and Ahtanum units), from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Reimbursement of fund for water to reservation lands.

For reimbursement to the reclamation fund the proportionate expense of operation and maintenance of the reservoirs for furnishing stored water to lands in the Yakima Indian Reservation, Washington, in accordance with the provisions of section 22 of the Act of August 1, 1914 (38 Stat., p. 604), $14,000.

38 Stat., 604, vol. 4, 29.

Wind River Reservation, Wyo.
Maintenance, etc.

For operation and maintenance of irrigation systems within the ceded and diminished portions of the Wind River Reservation, Wyoming, including the Indians' pro-rata share of the cost of operation and maintenance of the Riverton-Le Clair irrigation district and the Big Bend drainage district on the ceded reservation, $30,000, reimbursable, together with $16,500 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Riverton-Le Clair district.
Big Bend district.

Irrigation and drainage.
Construction, maintenance, etc.

For the construction, repair, and rehabilitation of irrigation systems on Indian reservations; for the purchase or rental of equipment, tools, and appliances; for the acquisition of rights-of-way, and payment of damages in connection with such irrigation systems; for the development of domestic and stock water and water for subsistence gardens; for the purchase of water rights, ditches, and lands needed for such projects; and for drainage and protection of irrigable lands from damage by floods or loss of water rights, as follows:

Arizona.

Arizona: Colorado River, as authorized by and in accordance with section 2 of the Rivers and Harbors Act, approved August 30, 1935 (49 Stat., pp. 1039, 1040), $500,000, reimbursable, and in addition thereto the Secretary of the Interior may also incur obligations and enter into a contract or contracts not exceeding the total amount of $750,000 and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for continuing construction of this project shall be available for the purpose of discharging the obligation or obligations so created; Fort Apache, $10,000, reimbursable; Hopi, $25,000, reimbursable; Navajo, Arizona and New Mexico, $60,000, reimbursable; Salt River, $650,000, reimbursable; San Xavier, $30,000, reimbursable;

49 Stat. 1040.
Contracts.

California.

California: Mission, $25,000, reimbursable; Sacramento, $25,000, reimbursable;

Montana.

Montana: Flathead, including $51,275, Camas division betterment, $251,275, reimbursable; Crow, $200,000, reimbursable; Fort Belknap, $12,000, reimbursable;

Nevada.

Nevada: Western Shoshone, $100,000, reimbursable;

New Mexico.

New Mexico: Mescalero, $16,000, reimbursable; Pueblo, $75,000, reimbursable;

Utah.

Utah: Navajo, $10,000, reimbursable; Uncompahgre, $10,000, reimbursable;

Washington.

Washington: Colville, $15,000, reimbursable; Wapato, $35,000, reimbursable;

Miscellaneous garden tracts.

Miscellaneous garden tracts, $60,000;

Administrative expenses.
Printing and binding.

For administrative expenses, including personal services in the District of Columbia and elsewhere, and not to exceed $3,000 for printing and binding, $60,000, reimbursable;

Availability.
49 Stat., 1792; ante 481.

In all, $2,169,275, to be immediately available, which amount, together with the unexpended balances of funds made available under

this head in the Interior Department Appropriation Act, fiscal year 1937, shall remain available until June 30, 1938: *Provided*, That the foregoing amounts may be used interchangeably in the discretion of the Secretary of the Interior, but not more than 10 per centum of any specific amount shall be transferred to any other amount, and no appropriation shall be increased by more than 15 per centum.

Proviso.
Amounts interchangeable.

EDUCATION

Education.

For the support of Indian schools not otherwise provided for, and for other Indian educational purposes, including educational facilities authorized by treaty provisions, care of Indian children of school age attending public and private schools, and tuition and other assistance for Indian pupils attending public schools, $5,896,950: *Provided*, That not to exceed $20,000 of this appropriation may be used for the support and education of deaf and dumb or blind, physically handicapped, or mentally deficient Indian children: *Provided further*, That $60,000 of this appropriation shall be available for subsistence of pupils in reservation and nonreservation boarding schools during summer months: *Provided further*, That not more than $15,000 of the amount herein appropriated may be expended for the tuition (which may be paid in advance) of Indian pupils attending vocational or higher educational institutions, under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That formal contracts shall not be required, for compliance with section 3744 of the Revised Statutes (U. S. C., title 41, sec. 16), for payment (which may be made from the date of admission) of tuition and for care of Indian pupils attending public and private schools, higher educational institutions, or schools for the deaf and dumb, blind, physically handicapped, or mentally deficient.

Support of schools.

Provisos.
Deaf and dumb or blind, etc.

Subsistence, boarding schools.

Vocational etc., courses.

Contracts.
R. S. § 3744.
41 U. S. C. § 16.

Pupils attending public schools.

Support of Indian schools from tribal funds: For the support of Indian schools, and for other educational purposes, including care of Indian children of school age attending public and private schools, tuition and other assistance for Indian pupils attending public schools, and support and education of deaf and dumb or blind, physically handicapped, or mentally deficient Indian children, there may be expended from Indian tribal funds and from school revenues arising under the Act of May 17, 1926 (U. S. C., title 25, sec. 155), not more than $312,995, including not to exceed $63,750 for payment of tuition for Chippewa Indian children enrolled in public schools and care of children of school age attending private schools in the State of Minnesota, payable from the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota arising under section 7 of the Act of January 14, 1889 (25 Stat., p. 645): *Provided*, That formal contracts shall not be required, for compliance with section 3744 of the Revised Statutes (U. S. C., title 41, sec. 16), for payment (which may be made from the date of admission) of tuition and for care of Indian pupils attending public schools, or schools for the deaf and dumb, blind, physically handicapped, or mentally deficient.

Support of schools from tribal funds.

44 Stat., 560, vol. 4, 548.
25 U. S. C. § 155.
Chippewas in Minnesota.

25 Stat., 645, vol. 1, 305.

Proviso.
Formal contracts not required.
R. S. § 3744.
41 U. S. C. § 16.

Education, Osage Nation, Oklahoma (tribal funds): For the education of unallotted Osage Indian children in the Saint Louis Mission Boarding School, Oklahoma, $2,000, payable from funds held in trust by the United States for the Osage Tribe.

Saint Louis Mission Boarding School, Okla.
Osage pupils.

For reimbursable loans to Indians for the payment of tuition and other expenses in recognized vocational and trade schools, including colleges and universities offering recognized vocational, trade, and

Vocational and trade schools, educational loans; reimbursable.

48 Stat., 986; ante, 379.
Unexpended balance, availability.
49 Stat., 1773; ante, 482.
Provisos.
Liberal-arts courses.

Advances; reimbursable.

School buildings.
Lease, improvement, etc.

Construction, improvement, etc.
Balance reappropriated.
49 Stat., 584; ante, 438.

49 Stat., 327–331, 333, 336; ante, 425, 428, 429, 430.

Shannon County, S. Dak.
Appropriation continued available.
49 Stat., 1773; ante, 482.
Pine Ridge high school.

Glacier County, Mont.
Improvement and extension of school buildings.
49 Stat., 327; ante, 425.

Stevens County, Wash.
School construction, etc.
49 Stat., 1273; ante, 467.
Provisos.
Plans and specifications.

Monthly payments.

Recoupment.

professional courses, in accordance with the provisions of the Act of June 18, 1934 (48 Stat., p. 986), and for apprentice training in manufacturing and other commercial establishments, $50,000, and the unexpended balance of the appropriation available for the fiscal year 1937 is continued available until June 30, 1938: *Provided*, That not more than $50,000 of the amount available for the fiscal year 1938 shall be available for loans to Indian students pursuing liberal-arts courses in high schools and colleges: *Provided further*, That advances made under this authoriaztion shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe.

For lease, purchase, repair, and improvement of buildings at Indian schools not otherwise provided for, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, sewer, and water systems in connection therewith, $390,000.

Construction, enlargement, or improvement of public-school buildings: The unexpended balance of the appropriation of $931,000 contained in the Second Deficiency Appropriation Act, fiscal year 1935, for cooperation with public-school districts in the construction, enlargement, or improvement of local public elementary or high schools, including purchase of necessary equipment, as authorized by and in conformity with numerous Acts of the Seventy-fourth Congress approved June 7, 1935, and June 11, 1935, is hereby continued available for the same purposes and under the same conditions until June 30, 1938.

The appropriation of $125,000 contained in the Second Deficiency Appropriation Act, fiscal year 1935, and continued available by the Act of June 22, 1936 (49 Stat., p. 1773), for cooperating with the public-school board of Shannon County, South Dakota, for the construction of a consolidated public high-school building at Pine Ridge, South Dakota, is hereby made available until June 30, 1938, for the same purposes and under the same conditions as specified in the said Act of June 22, 1936.

The appropriation of $100,000 contained in the Second Deficiency Appropriation Act, fiscal year 1935, for cooperating with public school districts in Glacier County, Montana, in the improvement and extension of school buildings to be available to both Indian and white children, as authorized by the Act of June 5, 1935 (49 Stat. L. 327), is hereby made available under the same conditions as specified in the said Second Deficiency Appropriation Act until June 30, 1938, for improvement and extension of school buildings in rural communities in District Numbered 9, Glacier County, as well as other public school districts within said county.

For cooperation with Wellpinit School District No. 49, Stevens County, Washington, for the construction and equipment of a public-school building in the vicinity of Wellpinit, Washington, as authorized by the Act of May 15, 1936 (49 Stat., p. 1273), $75,000: *Provided*, That plans and specifications for construction and equipment shall be furnished by local or State authorities, without cost to the United States, and upon approval thereof by the Commissioner of Indian Affairs, actual work shall proceed under the direction of such local or State officials. Payment for work in place shall be made monthly, on vouchers properly certified by local officials of the Indian Service: *Provided further*, That any amount expended hereunder shall be recouped by the United States within a period of thirty years, commencing with the date of occupancy of the project, through reducing

the annual Federal tuition payments for the education of Indian pupils enrolled in public or high schools of the district involved, or by the acceptance of Indian pupils in such school without cost to the United States; and in computing the amount of recoupment for such project, interest at 3 per centum per annum shall be included on unrecouped balances.

Nonreservation boarding schools. Support, etc., of designated.

For support and education of Indian pupils at the following nonreservation boarding schools in not to exceed the following amounts, respectively:

Phoenix, Ariz.

Phoenix, Arizona: For four hundred pupils, including not to exceed $1,500 for printing and issuing school paper, $142,000; for pay of superintendent, drayage, and general repairs and improvements, $25,000; in all, $167,000;

Sherman Institute, Riverside, Calif.

Sherman Institute, Riverside, California: For six hundred and fifty pupils, including not to exceed $1,000 for printing and issuing school paper, $221,000; for pay of superintendent, drayage, and general repairs and improvements, $23,500; in all, $244,500;

Haskell Institute, Lawrence, Kans.

Haskell Institute, Lawrence, Kansas: For six hundred and twenty-five pupils, including not to exceed $2,500 for printing and issuing school paper, $212,500; for pay of superintendent, drayage, and general repairs and improvements, including necessary drainage work, $24,000; for purchase of printing equipment, $6,500; in all, $243,000;

Pipestone, Minn.

Pipestone, Minnesota: For three hundred pupils, $97,750; for pay of superintendent, drayage, and general repairs and improvements, $16,000; in all, $113,750;

Carson City, Nev.

Carson City, Nevada: For five hundred and twenty-five pupils, $168,500; for pay of superintendent, drayage, and general repairs and improvements, $18,000; in all, $186,500;

Albuquerque, N. Mex.

Albuquerque, New Mexico: For six hundred pupils, $204,000; for pay of superintendent, drayage, and general repairs and improvements, $24,000; in all, $228,000;

Santa Fe, N. Mex.

Santa Fe, New Mexico: For four hundred pupils, $142,000; for drayage, and general repairs and improvements, $13,000; in all, $155,000;

Wahpeton, N. Dak.

Wahpeton, North Dakota: For three hundred pupils, $97,250; for pay of superintendent, drayage, and general repairs and improvements, $13,000; in all, $110,250;

Chilocco, Okla.

Chilocco, Oklahoma: For six hundred and fifty pupils, including not to exceed $2,000 for printing and issuing school paper, $221,000; for pay of superintendent, drayage, and general repairs and improvements, $24,000; for purchase of printing equipment, $6,000; in all, $251,000;

Sequoyah Orphan Training School, Okla.

Sequoyah Orphan Training School, near Tahlequah, Oklahoma: For three hundred and fifty orphan Indian children of the State of Oklahoma belonging to the restricted class, $114,250; for pay of superintendent, drayage, and general repairs and improvements, $14,000; in all, $128,250;

Carter Seminary, Okla.

Carter Seminary, Oklahoma: For one hundred and sixty-five pupils, $57,525; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $64,525;

Euchee, Okla.

Euchee, Oklahoma: For one hundred and fifteen pupils, $41,025; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $48,025;

Eufaula, Okla.

Eufaula, Oklahoma: For one hundred and forty pupils, $48,650; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $55,650;

Jones Academy, Okla.

Jones Academy, Oklahoma: For one hundred and seventy-five pupils, $61,125; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $68,125;

Wheelock Academy, Okla.

Wheelock Academy, Oklahoma: For one hundred and thirty pupils, $45,050; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $52,050;

Chemawa, Salem, Oreg.

Chemawa, Salem, Oregon: For three hundred and fifty pupils, including not to exceed $1,000 for printing and issuing school paper, $121,750; for local vocational-training program directed from the school, $20,500; for pay of superintendent, drayage, and general repairs and improvements, $18,000; in all, $160,250.

Flandreau, S. Dak.

Flandreau, South Dakota: For four hundred and fifty pupils, $159,750; for pay of superintendent, drayage, and general repairs and improvements, $18,000; in all, $177,750;

Pierre, S. Dak.

Pierre, South Dakota: For three hundred pupils, $97,750; for pay of superintendent, drayage, and general repairs and improvements, $18,000; in all, $115,750: *Provided*, That the amount available during the fiscal year 1937 for the acquisition of lands adjacent to this school is hereby continued available for the same purpose until June 30, 1938;

Proviso.
Acquisition of adjacent lands.
49 Stat., 1775; ante, 483.

Total, nonreservation boarding schools.

In all, for above-named nonreservation boarding schools, not to exceed $2,569,375: *Provided*, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures for similar purposes in the various boarding schools named, but not more than 10 per centum shall be added to the amount appropriated for any one of said boarding schools or for any particular item within any boarding school. Any such interchanges shall be reported to Congress in the annual Budget.

Proviso.
Sums interchangeable.

Report to Congress.

Five Civilized Tribes, Okla.
Pupils attending public or Indian day schools.

For tuition and for care and other assistance for Indian pupils attending public schools and special Indian day schools in the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Nations and the Quapaw Agency in Oklahoma, $397,200, to be expended in the discretion of the Secretary of the Interior and under rules and regulations to be prescribed by him: *Provided*, That not to exceed $21,500 may be expended for the payment of salaries of public-school teachers, employed by the State, county, or district in special Indian day schools in full-blood Indian communities, where there are not adequate white day schools available for their attendance.

Proviso.
Employment of public school teachers where facilities inadequate.

Alaska natives, education.
49 Stat., 1775; ante, 483.

For an additional amount for education of natives of Alaska, fiscal year 1937, to remain available until June 30, 1938, $55,000, and the limitation in the Interior Department Appropriation Act for the fiscal year 1937 on the amount which may be expended under this head for freight and operation and repair of vessels is hereby increased from $65,000 to $120,000.

Support, relief of destitution, etc.

Natives in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for support and education and relief of destitution of the Eskimos, Aleuts, Indians, and other natives of Alaska, including necessary traveling expenses of pupils to and from boarding schools in Alaska; purchase, repair, and rental of school buildings, including purchase of necessary lands; textbooks and industrial apparatus; pay and necessary traveling expenses of superintendents, teachers, physicians, and other employees; repair, equipment, maintenance, and operation of vessels; and all other necessary miscellaneous expenses which are not included under the above special heads, $690,000, to be immediately available and to remain available until June 30, 1939: *Provided*, That a report shall be made to Congress covering expenditures from the amount herein provided for relief of destitution.

Miscellaneous expenses.

Proviso.
Report to Congress.

CONSERVATION OF HEALTH

Conservation of health.

Designated expenses.

For conservation of health among Indians, including equipment, materials, and supplies; repairs and improvements to buildings and plants; compensation and traveling expenses of officers and employees and renting of quarters for them when necessary; transportation of patients and attendants to and from hospitals and sanatoria; returning to their former homes and interring the remains of deceased patients; and not exceeding $25,000 for clinical surveys and general medical research in connection with tuberculosis, trachoma, and venereal and other disease conditions among Indians, including cooperation with State and other organizations engaged in similar work and payment of traveling expenses of physicians, nurses, and other persons whose services are donated by such organizations, and including printing and binding circulars and pamphlets for use in preventing and suppressing trachoma and other contagious and infectious diseases, $4,595,690, including not to exceed $3,332,220 for the following-named hospitals and sanatoria:

Suppressing trachoma, etc.

Allotments to specified hospitals.

Arizona.

Arizona: Indian Oasis Hospital, $25,220; Kayenta Sanatorium, $52,000; Fort Defiance Sanatorium and Southern Navajo General Hospital, $158,780; Phoenix Sanatorium, $86,900; Pima Hospital, $27,600; Truxton Canyon Hospital, $14,000; Western Navajo Hospital, $38,300; Chin Lee Hospital, $15,000; Fort Apache Hospital, $29,700; Hopi Hospital, $40,000; Leupp Hospital, $27,800; San Carlos Hospital, $32,300; Tohatchi Hospital, $17,200; Colorado River Hospital, $23,000; San Xavier Sanatorium, $42,500; Phoenix Hospital, $42,000; Winslow Sanatorium, $45,960;

California.

California: Hoopa Valley Hospital, $25,000; Soboba Hospital, $22,000; Fort Bidwell Hospital, $20,600; Fort Yuma Hospital, $20,000;

Colorado.

Colorado: Ute Mountain Hospital, $15,000; Edward T. Taylor Hospital, $26,700;

Idaho.

Idaho: Fort Lapwai Sanatorium, $90,000; Fort Hall Hospitals, $17,000;

Iowa.

Iowa: Sac and Fox Sanatorium, $75,000;

Minnesota.

Minnesota: Pipestone Hospital, $22,500; Cass Lake Hospital, $30,000; Fond du Lac Hospital, $20,000; Red Lake Hospital, $20,000; White Earth Hospital, $20,000;

Mississippi.

Mississippi: Choctaw Hospital, $25,000;

Montana.

Montana: Blackfeet Hospital, $40,000; Fort Peck Hospital, $26,400; Crow Agency Hospital, $34,000; Fort Belknap Hospital, $30,000; Tongue River Hospital, $28,000;

Nebraska.

Nebraska: Winnebago Hospital, $47,000;

Nevada.

Nevada: Carson Hospital, $23,000; Walker River Hospital, $23,000; Western Shoshone Hospital, $20,000;

New Mexico.

New Mexico: Albuquerque Sanatorium, $104,660; Jicarilla Hospital and Sanatorium, $61,000; Mescalero Hospital, $24,000; Eastern Navajo Hospital, $32,000; Northern Navajo Hospital, $39,700; Taos Hospital, $20,000; Zuni Hospital, $50,000; Albuquerque Hospital, $53,100; Charles H. Burke Hospital, $24,000; Santa Fe Hospital, $49,000; Toadlena Hospital, $13,000;

North Carolina.

North Carolina: Cherokee Hospital, $22,000;

North Dakota.

North Dakota: Turtle Mountain Hospital, $41,600; Fort Berthold Hospital, $18,000; Fort Totten Hospital, $23,000; Standing Rock Hospital, $38,000; Fort Totten Preventorium, $20,000;

Oklahoma.

Oklahoma: Cheyenne and Arapahoe Hospital, $36,000; Choctaw and Chickasaw Sanatorium and General Hospital, $105,000; Shaw-

nee Sanatorium, $100,000; Claremore Hospital, $76,300; Clinton Hospital, $20,000; Pawnee and Ponca Hospital, $36,000; Kiowa Hospital, $122,700; William W. Hastings Hospital, $37,500;

Oregon.

Oregon: Warm Springs Hospital, $20,000;

South Dakota.

South Dakota: Crow Creek Hospital, $22,000; Pine Ridge Hospitals, $50,000; Rosebud Hospital, $40,000; Yankton Hospital, $23,000; Cheyenne River Hospital, $35,000; Sioux Sanatorium, $75,000; Sisseton Hospital, $35,000;

Utah.

Utah: Uintah Hospital, $30,000;

Washington.

Washington: Yakima Sanatorium, $40,000; Tacoma Sanatorium, $210,000; Tulalip Hospital, $12,600; Colville Hospital, $35,000;

Wisconsin.

Wisconsin: Hayward Hospital, $40,600; Tomah Hospital, $31,000;

Wyoming.

Wyoming: Shoshone, $28,000:

Provisos.
Sums interchangeable.

Provided, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures in the various hospitals named, but not more than 10 per centum shall be added to the amount appropriated for any one of said hospitals or for any particular item within any hospital, and any interchange of appropriations hereunder shall be reported to Congress in the annual Budget: *Provided further*, That nonreservation boarding schools receiving specific appropriations shall contribute on a per-diem basis for the hospitalization of pupils in hospitals located at such schools and supported from this appropriation.

Report to Congress.

Hospitalization of pupils.

Sioux Sanatorium, etc., S. Dak.
49 Stat., 584, 1777; ante, 438, 484.

Sioux Sanatorium and employees' quarters, South Dakota: Funds made available by the Second Deficiency Appropriation Act, fiscal year 1935, and the Interior Department Appropriation Act, fiscal year 1937, for the construction of an Indian sanatorium and employees' quarters, in South Dakota, are hereby continued available for the same purposes until June 30, 1938.

Medical relief in Alaska.

Medical relief in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction through the Bureau of Indian Affairs, with the advice and cooperation of the Public Health Service, to provide for the medical and sanitary relief of the Eskimos, Aleuts, Indians, and other natives of Alaska; purchase, repair, rental, and equipment of hospital buildings; not to exceed $1,000 for purchase of land; books and surgical apparatus; pay and necessary traveling expenses of physicians, nurses, and other employees, and all other necessary miscellaneous expenses which are not included under the above special heads, $370,000, to be available immediately and to remain available until June 30, 1939.

Hospitals, etc.

Availability.

GENERAL SUPPORT AND ADMINISTRATION

General support and administration.

Sundry agencies and reservations.

For general support of Indians and administration of Indian property, including pay of employees authorized by continuing or permanent treaty provisions, $2,604,600.

General support, additional amount.

For an additional amount for general support of Indians and administration of Indian property, including pay of employees authorized by continuing or permanent treaty provisions, fiscal year 1937, $80,000.

Metlakahtla Indians, Alaska, expenses.

For pay of employees, village improvements, relief of destitution, and such other purposes as may be requested by the town council of Metlakahtla, Annette Islands Reserve, Alaska, and approved by the Secretary of the Interior, $50,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Proviso.
Limitation.
48 Stat., 1227; ante, 389.
31 U. S. C., § 725c.

Reindeer service: For supervision of reindeer in Alaska and instruction in the care and management thereof, including salaries and travel expenses of employees in Alaska, travel expenses of employees of the Indian Service while performing duties in Alaska for the reindeer service, travel expenses of new appointees from Seattle, Washington, to their posts of duty in Alaska, expenses of packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station within Alaska, purchase, rental, erection, and repair of range cabins, purchase and maintenance of communication and other equipment, and all other necessary miscellaneous expenses, including $3,000 for the purchase and distribution of reindeer, $55,500, to be immediately available. Reindeer service.

The unexpended balance of the appropriation of $755 contained in the Interior Department Appropriation Act, fiscal year 1936, for the purchase and distribution of reindeer to natives in Alaska is hereby made available for the same purposes during the fiscal years 1937 and 1938. Purchase, distribution, etc., to natives. Balance reappropriated. 49 Stat., 213; ante, 418.

For general support of Indians and administration of Indian property under the jurisdiction of the following agencies, to be paid from the funds held by the United States in trust for the respective tribes, in not to exceed the following sums, respectively: Specified agencies, from tribal funds.

Arizona: Fort Apache, $90,000, of which not to exceed $40,000 may be used for the establishment of a tribal herd, including the construction of necessary buildings; San Carlos, $45,700; Truxton Canyon, $6,500; in all, $142,200; Arizona.

California: Mission, $15,000; Hoopa Valley, $2,500; in all, $17,500; California.

Idaho: Fort Hall, $4,800; Idaho.

Iowa: Sac and Fox, $2,000; Iowa.

Montana: Flathead, $20,000; Montana.

Nevada: Carson (Walker River $600, Summit Lake, $7,000, Pyramid Lake, $20,000), $27,600, which amount shall be available for loans to Indians and for such other purposes as may be recommended by the tribes and approved by the Commissioner of Indian Affairs; Western Shoshone, $5,000; in all, $32,600; Nevada. Loans to Indians, etc.

North Carolina: Cherokee, $18,000, together with the unexpended balance under this head for the fiscal year 1937; North Carolina. Balance reappropriated. 49 Stat., 1778; ante, 485.

Oregon: Klamath, $76,650, of which $4,000 shall be available only for traveling and other expenses, including not to exceed $5 per diem in lieu of subsistence, of members of the tribal council, or of representatives of the tribe engaged on business of the tribe at the seat of government; and $6,500 shall be available only for compensation and expenses of attorneys for services rendered and to be rendered during the fiscal years 1937 and 1938 under a contract approved by the Secretary of the Interior, in accordance with existing law; Oregon. Tribal council, traveling, etc., expenses.

Utah: Uintah and Ouray, $7,100, of which amount not to exceed $3,000 shall be available for the payment of an agent employed under a contract, approved by the Secretary of the Interior; Utah.

Washington: Puyallup, $1,000 for upkeep of the Puyallup Indian cemetery; Taholah (Quinaielt), $17,800, together with the unexpended balance under this head for the fiscal year 1937; (Neah Bay), $7,500, together with the unexpended balance under this head for the fiscal year 1937 ($4,000 for monthly allowances for care of old and indigent Indians, additional for water supply, $2,500, and $1,000 for burial expenses); Yakima, $250; Tulalip, $1,000; Swinomish, $500; in all $28,050; Washington. Balance reappropriated. 49 Stat., 1778; ante, 485. Indigent, etc., Indians, monthly allowances. Water supply.

Wisconsin: Keshena, $85,500, including $20,000 for monthly allowances, under such rules and regulations as the Secretary of the Interior Wisconsin.

Proviso.
Attorneys' fees, etc.

may prescribe, to old and indigent members of the Menominee Tribe who reside with relatives or friends: *Provided*, That not more than $14,000 of this appropriation may be used for fees and expenses of attorneys employed under contract, approved by the Secretary of the Interior, during the fiscal years 1936, 1937, and 1938.

In all, not to exceed $434,400.

Chippewas in Minnesota.
General support, from tribal funds.

Support of Chippewa Indians in Minnesota (tribal funds): For general support, administration of property, and promotion of self-support among the Chippewa Indians in the State of Minnesota, $44,000, to be paid from the principal sum on deposit to the credit of the Chippewa Indians of Minnesota, arising under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota," approved January 14, 1889 (25 Stat., p. 645), of which amount not to exceed $40,000 may be expended, in the discretion of the Secretary of the Interior, in aiding indigent Chippewa Indians including boarding-home care of pupils attending public or high schools.

25 Stat., 645, vol. 1, 305.
Aiding indigent, etc.

Attorneys.

For compensation and expenses of an attorney or attorneys employed by the Chippewa tribe under a contract, approved by the Secretary of the Interior on April 15, 1937, $10,000, payable from the principal sum on deposit to the credit of the Chippewa Indians of Minnesota, arising under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the state of Minnesota," approved January 14, 1889 (25 Stat., p. 645), of which so much as may be necessary shall be available for compensation earned and expenses incurred during the fiscal year 1937.

25 Stat., 645, vol. 1, 305.

Payments to attorneys for Creek Nation, from tribal funds.

There is hereby authorized to be expended out of the fund "Interest on Judgment Court of Claims, Creek Indian Nation," now standing to the credit of the Creek Nation of Indians in the Treasury of the United States, the sum of not exceeding $2,000 to be paid, in the discretion of the Secretary of the Interior, to attorneys for said Creek Nation of Indians employed under the authority of the Act of Congress approved May 24, 1924 (43 Stat. 139), the payments to be made in such sums as may be necessary to reimburse the attorneys for such proper and necessary expenses as may have been incurred or may be incurred in the investigation of records and preparation, institution, and prosecution of suits of the Creek Nation of Indians against the United States under the above-mentioned Act of May 24, 1924: *Provided further*, That the claims of the attorneys shall be filed by said attorneys with the Secretary of the Interior and shall be accompanied by the attorneys' itemized and verified statement of the expenditures for expenses and by proper vouchers, and that the claims so submitted shall be subject to the approval of the Secretary of the Interior.

43 Stat., 139, vol. 4, 416.

Proviso.
Filing of claims by attorneys.

Five Civilized Tribes, Okla.
Expenses of tribal officers, from tribal funds.

Expenses of tribal officers, Five Civilized Tribes, Oklahoma (tribal funds): For the current fiscal year money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, salaries and contingent expenses of the governor of the Chickasaw Nation and chief of the Choctaw Nation, one mining trustee for the Choctaw and Chickasaw Nations, at salaries at the rate heretofore paid for the said governor and said chief and $3,000 for the said mining trustee, chief of the Creek Nation at $600 and one attorney each for the Choctaw and Chickasaw Tribes employed under contract approved by the President under existing law: *Provided*, That the expenses of the above-named officials shall be determined and limited by the Commissioner of Indian Affairs at not to exceed $2,500 each.

Proviso.
Limitation.

Support of Osage Agency and pay of tribal officers, Oklahoma (tribal funds): For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage Reservation, Oklahoma, including pay of necessary employees, the tribal attorney and his stenographer, one special attorney in tax and other matters, and pay of tribal officers; payment of damages to individual allottees; repairs to buildings, rent of quarters for employees, traveling expenses, printing, telegraphing, and telephoning, and purchase, repair, and operation of automobiles, $189,180, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma: *Provided*, That not more than $500 of the foregoing amount may be used for defraying the cost of an appeal in the case of Tucker versus Mullendore: *Provided further*, That not more than $1,800 may be used for the employment of a curator for the Osage Museum, which employee shall be an Osage Indian and shall be appointed without regard to civil-service laws and regulations upon the recommendation of the Osage tribal council.

Osage Agency, Okla.
Agency, etc., expenses.

Provisos.
"Tucker v. Mullendore," appeal costs.

Employment of curator for Museum.

For acquisition, rehabilitation, and preservation of the Tuskahoma Council House in Pushmataha County, Choctaw Nation, Oklahoma, $10,000 or so much thereof as may be necessary, payable from the fund "Fulfilling treaties with Choctaws, Oklahoma" now to the credit of the Choctaw Indians of Oklahoma, and the unexpended balance of the appropriation for this purpose contained in the Interior Department Appropriation Act, fiscal year 1937, is hereby continued available until June 30, 1938.

Tuskahoma Council House, Pushmataha County, Okla.
Acquisition, etc.

Fund available.

49 Stat., 1779; ante, 486.

Expenses of tribal councils or committees thereof (tribal funds): For traveling and other expenses of members of tribal councils, business committees, or other tribal organizations, when engaged on business of the tribes, including supplies and equipment, not to exceed $5 per diem in lieu of subsistence, and not to exceed five cents per mile for use of personally owned automobiles, and including visits to Washington, District of Columbia, when duly authorized or approved in advance by the Commissioner of Indian Affairs, $50,000, payable from funds on deposit to the credit of the particular tribe interested: *Provided*, That, except for the Navajo Tribe, not more than $5,000 shall be expended from the funds of any one tribe or band of Indians for the purposes herein specified: *Provided further*, That no part of this appropriation shall be available for expenses of members of tribal councils, business committees, or other tribal organizations, when in Washington, for more than thirty-day period, unless the Secretary of the Interior shall in writing approve a longer period.

Tribal councils, traveling, etc., expenses.

Provisos.
Limitation on expenditures.

Allowances for expenses of tribal councils when in Washington.

For compensation and expenses of William H. Fuller and Melven Cornish for services rendered the Chickasaw Nation of Oklahoma, under the terms of a contract approved by the Secretary of the Interior on May 13, 1935, in the case of the Choctaw Nation versus the United States and the Chickasaw Nation in the United States Court of Claims, case numbered J–231, $15,000, or so much thereof as may be necessary, payable from funds on deposit to the credit of the Chickasaw Nation of Indians.

William H. Fuller and Melven Cornish.
Compensation, etc.

ROADS AND BRIDGES

Roads and bridges.

For maintenance and repair of that portion of the Gallup-Shiprock Highway within the Navajo Reservation, New Mexico, including the purchase of machinery, $20,000, reimbursable: *Provided*, That other than for supervision and engineering only Indian labor shall be employed for such maintenance and repair work.

Gallup-Shiprock Highway, N. Mex., maintenance, etc.

Proviso.
Indian labor.

Reservation roads, construction, etc.

45 Stat., 750; ante, 57, 49 Stat., 1521, ante, 471.
25 U. S. C. § 318a; Supp. II, § 318b.

For construction, improvement, repair, and maintenance of Indian reservation roads under the provisions of the Acts of May 26, 1928 (U. S. C., title 25, sec. 318a), and June 16, 1936 (49 Stat., p. 1521), $3,000,000, to be immediately available and to remain available until expended: *Provided*, That not to exceed $11,200 of the foregoing amount may be expended for personal services in the District of Columbia: *Provided further*, That not to exceed $100,000 of this appropriation shall be available for purchase, lease, construction or repair of structures for housing road materials, supplies and equipment; and for quarters for road crews but the cost of any structure erected hereunder shall not exceed $7,500.

Provisos.
Services in the District.
Structures for housing materials, etc.

Connecting highway through Owyhee Canyon, Nev.

For cooperation by the Indian Service in the construction of a highway through the Owyhee Canyon connecting the Western Shoshone Reservation in Nevada with the reservoir which is a part of the reservation irrigation project, $40,000.

Construction and repair.

CONSTRUCTION AND REPAIR

School, agency, hospital, etc., buildings.

For the construction, repair, or rehabilitation of school, agency, hospital, or other buildings and utilities, including the purchase of land and the acquisition of easements or rights-of-way when necessary, and including the purchase of furniture, furnishings, and equipment, as follows:

Alaska.

Alaska: Day schools and quarters, including remodeling of existing buildings, $119,000; hospitals and quarters, $186,000;

Blackfeet, Mont.

Blackfeet, Montana: Remodeling and repairing school buildings, $30,000;

Carson, Nev.

Carson, Nevada: Central heating plant, and rehabilitation of power-distribution lines, $80,000; school building and gymnasium, Walker River, $37,500;

Cheyenne and Arapahoe, Okla.

Cheyenne and Arapahoe, Oklahoma: Improvement to heating system, $20,000;

Cheyenne River, S. Dak.

Cheyenne River, South Dakota: Classroom building, $90,600;

Claremore Hospital, Okla.

Claremore Hospital, Oklahoma: Employees' quarters, $30,000;

Colorado River, Ariz.

Colorado River, Arizona: Telephone line, $8,500; improvement of water supply, $21,000;

Colville, Wash.

Colville, Washington: Improvement of water supply, $30,000;

Consolidated Ute, Colo.

Consolidated Ute, Colorado: Nurses' home, $15,000; employees' building, $20,000;

Crow, Mont.

Crow, Montana: Improvement of water system, $10,000;

Five Civilized Tribes, Okla.

Five Civilized Tribes, Oklahoma: Improvement of sewer and water systems, Wheelock Academy, $5,000; improvement of sewer system, Jones Academy, $5,000;

Flandreau, S. Dak.

Flandreau, South Dakota: Improvement of sewer system, $20,000;

Flathead, Mont.

Flathead, Montana: Two dwellings, $16,000;

Fort Berthold, N. Dak.

Fort Berthold, North Dakota: Improvement of water system, $15,000; remodeling hospital, $8,500;

Great Lakes, Wis.

Great Lakes, Wisconsin: Repairs to hospital, Hayward, $14,900; school building, Lac du Flambeau, $147,500;

Keshena, Wis.

Keshena, Wisconsin: Day school building, $5,000;

Kiowa, Okla.

Kiowa, Oklahoma: Riverside, dormitory facilities, $73,000; one cottage, $6,000; Fort Sill, school building, $73,000; one physicians' cottage, $7,500; improvements to sewer system, $20,000;

Navajo, Ariz.

Navajo, Arizona: General headquarters, employees' building, $72,500; Crown Point, hospital and quarters, $193,000; Fort Defiance, central heating and power plant, $145,000;

Pipestone, Minn.

Pipestone, Minnesota: Improvement of water system, $12,500;

Pueblos of New Mexico: For remodeling the Albuquerque school hospital, $22,500; Pueblos of New Mexico.

Red Lake, Minnesota: Improvement of water system, $12,500; Red Lake, Minn.

Rosebud, South Dakota: Improvement of sewer system, $20,000; Rosebud, S. Dak.

Seminole, Florida: One dwelling, $6,000; Seminole, Fla.

Shoshone, Wyoming: Improvement of quarters, $58,000; Shoshone, Wyo.

Tacoma Sanatorium, Washington: Improvement of water system, $8,000; Tacoma Sanatorium, Wash.

Tongue River, Montana: Birney day school, including sewer and water systems, and light plant, $30,000; Tongue River, Mont.

Turtle Mountain, North Dakota: Day school facilities, $62,500; Turtle Mountain, N. Dak.

Truxton Canyon, Arizona: Improvement of heating system, $10,000; Truxton Canyon, Ariz.

Uintah and Ouray, Utah: Central heating plant, $50,000; improvement of sewer and water systems, $25,000; Uintah and Ouray, Utah.

Wahpeton, North Dakota: Improvement of heating system, $10,000; Wahpeton, N. Dak.

Western Shoshone, Nevada: Improvement of sewer and water systems, $15,000; Western Shoshone, Nev.

Winnebago, Nebraska: General repairs, $6,000; Winnebago, Nebr.

For administrative expenses, including personal services in the District of Columbia and elsewhere; not to exceed $2,500 for printing and binding; purchase of periodicals, directories, and books of reference; purchase and operation of motor-propelled passenger-carrying vehicles; traveling expenses of employees; rent of office and storage space; telegraph and telephone tolls; and all other necessary expenses not specifically authorized herein, $175,000; in all, $2,047,500, to be immediately available and to remain available until June 30, 1939. Administrative expenses.

ANNUITIES AND PER CAPITA PAYMENTS

Annuities and per capita payments.

For fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831, 4 Stat., p. 442), $6,000. Senecas, N. Y. 4 Stat., 442.

For fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), $4,500. Six Nations, N. Y. 7 Stat., 46, vol. 2, 36.

For fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty of June 22, 1855), $3,000; for permanent annuity for support for light horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), $600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $320; in all, $10,520. Choctaws, Okla. 7 Stat., 99, 212, 213, 236, vol. 2, 58, 87, 192, 211, 706. 11 Stat., 614, vol. 2, 709.

For fulfilling treaties with Pawnees, Oklahoma: For permanent annuity (article 2, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), $30,000. Pawnees, Okla. 11 Stat., 729, vol. 2, 764; 27 Stat., 644, vol. 1, 498.

For payment of Sioux benefits to Indians of the Sioux reservations, as authorized by the Act of March 2, 1889 (25 Stat., p. 895), as amended, $150,000. Indians of Sioux Reservations. 25 Stat., 895, vol. 1, 328.

The unexpended balances of appropriations made for the benefit of the Saint Croix Chippewa Indians of Wisconsin by the Act of February 14, 1920 (41 Stat., p. 433), and subsequent Acts, and made available by the Interior Department Appropriation Act, fiscal year 1937, for the purchase of material for the repair of homes, for the care of Saint Croix Chippewas, Wis. 41 Stat., 433, vol. 4, 260; 49 Stat., 1780; ante, 487.

aged and indigent Indians of this band, and for other necessary purposes for their benefit, are hereby continued available for the same purposes until expended.

Menominee Indians in Wisconsin.
Per capita payments.

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States $105,000 of any funds on deposit to the credit of the Menominee Indians in Wisconsin (except the Menominee Log Funds), and to expend said sum, or so much thereof as may be necessary, for a per-capita payment of $50 to each enrolled member of the Menominee Tribe: *Provided*, That such payment shall be in lieu of the payment authorized by the Act of June 15, 1934 (48 Stat., p. 964), for the fair market stumpage value of timber cut on the Menominee Reservation during the fiscal year 1937: *Provided further*, That in the discretion of the Secretary of the Interior the payment herein authorized may be made in two installments.

Provisos.
Payments in lieu of previously authorized payments.
48 Stat., 964; ante, 378.
Installments.

Interest on trust funds.

For payment of interest on moneys held in trust for the several Indian tribes, as authorized by various Acts of Congress, $500,000.

Central garages, etc.

Appropriations herein made for the support of Indians and administration of Indian property, the support of schools, including nonreservation boarding schools and for conservation of health among Indians shall be available for the maintenance and operation of central garages and shops, including the purchase of parts and supplies, and such appropriations may be reimbursed for services rendered or supplies furnished by such garages or shops to any activity of the Indian Service.

Field service employees.
Funds for, available for supplies.

When, in the judgment of the Secretary of the Interior, it is necessary for accomplishment of the purposes of appropriations herein made for the Indian field service, such appropriations shall be available for purchase of ice, for rubber boots for use of employees, for travel expenses of employees on official business, and for the cost of packing, crating, drayage, and transportation of personal effects of employees upon permanent change of station.

Traveling expenses, new appointees, etc.

The appropriations for education of natives of Alaska and medical relief in Alaska shall be available for the payment of traveling expenses of new appointees from Seattle, Washington, to their posts of duty in Alaska, and of traveling expenses, packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station within Alaska, under regulations to be prescribed by the Secretary of the Interior.

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Geological Survey.

GEOLOGICAL SURVEY

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Nonmetallic Mineral Acts.
Enforcing provisions.
38 Stat., 742; 41 Stat. 437, 1363.
48 U. S. C. §§ 435, 444; 30 U. S. C. §§ 141, 181.

Mineral leasing: For the enforcement of the provisions of the Acts of October 20, 1914 (U. S. C., title 48, sec. 435), October 2, 1917 (U. S. C., title 30, sec. 141), February 25, 1920 (U. S. C., title 30, sec. 181), as amended, and March 4, 1921 (U. S. C., title 48, sec. 444), and other Acts relating to the mining and recovery of minerals on Indian and public lands and naval petroleum reserves; and for every other expense incident thereto, including supplies, equipment, expenses of travel and subsistence, the construction, maintenance, and repair of necessary camp buildings and appurtenances thereto, $315,000, of which amount not to exceed $60,000 may be expended for personal services in the District of Columbia.

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National Park Service.

NATIONAL PARK SERVICE

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Glacier, Mont.

Glacier National Park, Montana: For administration, protection, and maintenance, including necessary repairs to the roads from Glacier Park Station through the Blackfeet Indian Reservation to the various points in the boundary line of the Glacier National Park and the international boundary, including not exceeding $3,000 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $189,120.

* * * * * * *

Roads and trails, construction, etc.

Roads and Trails, National Park Service: For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks, monuments, and other areas administered by the National Park Service, including the Boulder Dam Recreational Area, and other areas authorized to be established as national parks and monuments, and national park and monument approach roads authorized by the Act of January 31, 1931 (U. S. C., title 16, secs. 8a and 8b), as amended, including the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary, $4,500,000, to be immediately available and to remain available until expended: *Provided*, That not to exceed $60,000 of the amount herein appropriated may be expended for personal services in the District of Columbia during the fiscal year 1938.

46 Stat., 1053.

16 U. S. C. §§ 8a, 8b.

Proviso.
Services in the District.

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Field work appropriations available for work animals, etc.

SEC. 2. Appropriations herein made for field work under the Office of the Secretary, the General Land Office, the Bureau of Indian Affairs, the Bureau of Reclamation, the Geological Survey, the Bureau of Mines, and the National Park Service shall be available for the hire, with or without personal services, of work animals and animal-drawn and motor-propelled vehicles and equipment.

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Approved, August 9, 1937.

August 12, 1937
[S. 1266]
50 Stat., 623.

CHAP. 592.—An Act To authorize the city of Chamberlain, South Dakota, to construct, equip, and maintain tourist cabins on American Island, South Dakota, to operate and maintain a tourist camp and certain amusement and recreational facilities on such island, to make charges in connection therewith, and for other purposes

Chamberlain, S. Dak.
25 Stat., 896, vol. 1, 336.

Construction, etc., tourist cabins on American Island by, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 21, as amended, of the Act 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", approved March 2, 1889, the city of Chamberlain, South Dakota, is authorized, for the purpose of maintaining, developing, and policing American Island, South Dakota, to construct, equip, and maintain a tourist camp and tourist cabins on such island and to charge for the use thereof; to operate and maintain amusement, recreational, and athletic facilities on such island, to charge for admission thereto, and to collect reasonable fees for any concessions granted in connection with amusement, recreational, and athletic entertainments; to lease to Girl Scout and Boy Scout organizations such grounds and quarters on such island as may be necessary for their encampments; and to maintain improvements placed on such island by or in cooperation with the National Park Service: *Pro-*

Operation of amusement, athletic, etc., facilities.

Lease of portion for Girl Scout, etc., encampments.

Provisos.

Enterprises; ownership, operation, etc.; use of profits.

Regulatory provisions.

vided, That all enterprises operated on American Island shall be owned and operated by the city of Chamberlain and all profit derived therefrom shall be maintained by such city in a separate fund, which shall be used exclusively for the maintenance, development, and policing of such island: *Provided further*, That this Act shall become effective only after the city of Chamberlain makes regulatory provision to carry out the terms of the Act and after such regulations have been certified to the secretary of the Interior.

Approved, August 12, 1937.

August 16, 1937
[S. 1047]
50 Stat., 648.

CHAP. 649.—An Act to authorize the city of Pierre, South Dakota, to construct, equip, maintain, and operate on Farm Island, South Dakota, certain amusement and recreational facilities; to charge for the use thereof; and for other purposes

Pierre, S. Dak.
Construction, operation, etc., amusement and recreational facilities, Farm Island authorized.
25 Stat., 896, vol. 1, 336.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 21, as amended, of the Act entitled "An Act to divide a portion of the reservation of the Sioux Nations of Indians in Dakota into separate reservations and to secure the relinquishment of the Indian title to the remainder, and for other purposes", approved March 2, 1889 ,the city of Pierre, South Dakota, is authorized, for the purpose of maintaining, developing, and policing Farm Island, South Dakota, to construct, equip, maintain, and operate on such island dance pavilions, merry-go-rounds, ferris wheels, ball parks, and other amusement or recreational facilities, and to charge for admission thereto; to construct, equip, and maintain tourist cabins on such island and to charge for the occupancy thereof; to lease up to one hundred plats of land in such island of not more than two acres each for the erection thereon of private cottages; to require the registration of vehicles entering such island and to charge a fee therefor based upon a single entry or upon the privilege of entering such island for the period of a year; to lease to Girl Scout and Boy Scout organizations such grounds and quarters on such island as may be necessary for their encampments; and to sell beer on such island in compliance with the laws of the State of South Dakota: *Provided*, That this authorization shall be effective only when the city of Pierre or the State legislature shall enact and maintain regulatory provisions of the kind set out in sections 2, 3, 4, and 5 of this Act, in modification of the conditions contained in the Act of March 2, 1889 (25 Stat. L. 888, 897), relating to the purposes for which the said Farm Island may be used; and that until such enactment is certified to the Secretary of the Interior, no part of this Act shall be in effect.

Tourist cabins.

Registration of vehicles.
Girl Scout and Boy Scout encampments, ground lease.

Proviso.
Authorization conditional.

25 Stat., 897, vol. 1, 337.

Alcoholic beverages, other than beer; sale, etc., prohibited.

SEC. 2. The carriage, sale, or gift on such island of any alcoholic beverages other than beer is hereby prohibited and such city is further authorized, for the purposes of detecting and preventing the carriage of such beverages, to provide for the reasonable inspection of persons and vehicles on such island.

Municipal ownership of enterprises.

SEC. 3. All enterprises operated on Farm Island shall be owned and operated by the city of Pierre, and all funds derived from such charges, fees, leases, and sales shall be maintained by the city in a separate fund and shall be used exclusively for the purpose of maintaining, developing, and policing Farm Island.

Island designated a wild-game refuge.

SEC. 4. Farm Island is hereby designated a wild-game refuge. The carriage of firearms on such island by any person other than an official of such city, the State of South Dakota, or the United States, and the hunting, pursuing, poisoning, killing, or capturing by trapping, netting, or any other means or attempting to hunt, pursue, kill, or cap-

ture any wild animal or bird for any purpose whatever, within the limits of such island, shall be unlawful. However, it shall be lawful that shotguns may be taken onto the island by members of the Izaak Walton League, or any regularly organized local gun club for the purpose of participating in trapshooting and skeetshooting conducted by such Izaak Walton League or official gun club under such regulations as the city commission of Pierre might adopt.

Trapshooting and skeetshooting.

SEC. 5. Whoever violates any provision of this Act shall, upon conviction thereof, be fined not more than $500 or imprisoned not more than six months, or both.

Penalty for violation.

Approved, August 16, 1937.

CHAP. 651.—An Act To authorize the Five Civilized Tribes, in suits heretofore filed under their original Jurisdictional Acts, to present claims to the United States Court of Claims by amended petitions to conform to the evidence; and to authorize said court to adjudicate such claims upon their merits as though filed within the time limitation fixed in said original Jurisdictional Acts

August 16, 1937.
[S. 1379.]
50 Stat., 650.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in suits heretofore filed in the United States Court of Claims by the Five Civilized Tribes under their respective Jurisdictional Acts (Cherokee Nation, Act approved March 19, 1924, 43 Stat. 27; Seminole Nation, Act approved May 20, 1924, 43 Stat. 133; Creek Nation, Act approved May 24, 1924, 43 Stat. 139; Choctaw and Chickasaw Nations, Act approved June 7, 1924, 43 Stat. 537; as amended by joint resolutions approved May 19, 1926; 44 Stat. 568; and February 19, 1929, 45 Stat. 1229), plaintiffs therein shall have the right, prior to January 1, 1938, to amend their petitions to conform to any evidence heretofore filed in said suits, whether such amended petitions develop original claims or present new claims based upon said evidence; and jurisdiction be, and is hereby, conferred upon said Court of Claims, notwithstanding the lapse of time or statutes of limitation, to hear, examine, adjudicate, and render judgment in any and all legal and equitable claims which may have been presented by said Indian Nations in any amended petitions heretofore filed, or which may be filed under the terms of this Act; and claims so presented shall be adjudicated by said court upon their merits as though presented by petition filed within the time limited by said respective original Jurisdictional Acts, as amended; and any case presenting claims which may have been dismissed upon the ground that new claims were set up by amended petition, after the expiration of the time limitation fixed in said original Jurisdictional Acts, as amended, shall be reinstated and retried by said court on their merits.[1]

Five Civilized Tribes of Indians.
Suits filed in Court of Claims under Jurisdictional Acts.
43 Stat., 27, 133, 139, 537; vol. 4, 403, 414, 416, 450; 44 Stat., 568, vol. 4, 550; 45 Stat., 1229; ante, 78.

Amendment of petitions to conform to evidence, etc.

Jurisdiction conferred.

Reinstatement of certain dismissed claims.

Approved, August 16, 1937.

CHAP. 701.—An Act To authorize the exchange of certain lands within the Great Smoky Mountains National Park for lands within the Cherokee Indian Reservation, North Carolina, and for other purposes

August 19, 1937.
[H. R. 5472.]
50 Stat., 699.

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 hereby authorized, under such terms and conditions as he may deem proper, to exchange a tract of land of approximately one thousand two hundred and two acres, near Smokemont, North Carolina, known as the Towstring tract and forming a part of the Cherokee Indian Reservation, for three tracts of land, totaling approximately one thousand five hundred and forty-seven acres, in the vicinity

Great Smoky Mountains National Park, N. C.
Exchange of certain lands within, for lands within the Cherokee Indian Reservation, authorized.

[1] 83 Ct. Cls., 140.

Conditions.

of Ravensford, North Carolina, known as the Boundary Tree, Ravensford, and Tight Run tracts and forming a part of the Great Smoky Mountains National Park, conditioned upon the consent of the Eastern Band of Cherokee Indians to this exchange and to the acquisition by the State of North Carolina of a right-of-way, which shall vary in width between two hundred feet and eight hundred feet, for the Blue Ridge Parkway across the said reservation, and further conditioned upon payment to the said Cherokee Indians by the said State of North Carolina of such compensation as shall have been determined by the said Secretary as just and reasonable for the said right-of-way. When the foregoing conditions have been complied with, the Secretary of the Interior is hereby further authorized to grant to the State of North Carolina a right-of-way as hereinbefore provided for.

Right-of-way grant to State.

Consent of Indians to be determined by ballot.

SEC. 2. The consent of the said Cherokee Indians to any proposed exchange and the acquisition of a right-of-way by the State of North Carolina as provided for herein shall be expressed by secret ballot in a general election, in which a majority vote in favor thereof. Such election to be arranged and supervised by the tribal council within sixty days after the passage of this Act, and the results of such election shall be final.

Consent by State.

SEC. 3. No exchange shall be consummated pursuant to the provisions of this Act unless and until the consent of the State of North Carolina is first had and obtained thereto as indicated by an Act of its legislature.

Lands transferred to Indians to be held in trust; nontaxable, etc.

SEC. 4. Upon the consummation of the exchange made pursuant to the provisions of this Act, the lands transferred to the Indians shall be held in trust by the United States for the said Eastern Band of Cherokee Indians and shall be nontaxable and nonalienable the same as the balance of the Indian land of the aforesaid reservation, and the lands transferred to the United States for park purposes shall become and be a part of the Great Smoky Mountains National Park and shall be subject to the provisions of the Act of Congress approved August 25, 1916 (39 Stat. 535), as amended: *Provided*, That should any of the exchanged area or parkway right-of-way herein dealt with cease to be used for park or parkway purposes, the title thereto shall revert to its status prior to the exchange.

Acquisition by United States for park purposes.
39 Stat., 535.
16 U. S. C. § 1.
Proviso.
Reversionary provision.

Approved, August 19, 1937.

August 19, 1937.
[H. R. 6914.]
50 Stat., 700.

CHAP. 702.—An Act To authorize the acquisition by the United States of certain tribally owned lands of the Indians of the Shoshone or Wind River Indian Reservation, Wyoming, for the Wind River irrigation project

Shoshone Indian Reservation, Wyo.
Acquisition of tribal lands for Wind River irrigation project.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to acquire on behalf of the United States for the use and benefit of the Wind River Indian irrigation project, Shoshone Indian Reservation, Wyoming, at the appraised value thereof, the east half southeast quarter section 8; the east half northeast quarter and northwest quarter southeast quarter section 17; the north half north half northeast quarter section 20; and the north half northwest quarter northwest quarter section 21, all in township 1 south, range 2 west, Wind River Meridian, Wyoming, and not to exceed $650 of the allotment made by the Federal Emergency Administration of Public Works to the Indian Service for Federal project 266–Indian, may be used for this purpose. The amount herein authorized shall be deposited to the credit of the Indians of the Shoshone Reservation as proceeds of

Description.

Deposit to credit of Indians.

labor, Shoshone and Arapahoe Indians, Wyoming, and shall be subject to expenditure pursuant to the provisions of existing laws: *Provided*, That such deposit of funds shall operate as a full, complete, and perfect extinguishment of all right, title, and interest the Indians may possess in and to the land herein described.

Proviso.
Extinguishment of title, etc.

Approved, August 19, 1937.

CHAP. 725.—An Act To create a commission and to extend further relief to water users on United States reclamation projects and on Indian irrigation projects

August 21, 1937.
[S. 413.]
50 Stat., 737.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby created a commission to be composed of three members appointed by the Secretary of the Interior, all of whom shall have an intimate knowledge of irrigation farming but who shall not be employees of the Bureau of Reclamation or the Bureau of Indian Affairs of the Department of the Interior, and shall have no financial interest in the matters coming under their jurisdiction. The commission is authorized and directed to investigate the financial, economic, and other conditions of the various United States and Indian reclamation projects, with particular reference to the ability of each such project to make payments of water-right charges without undue burden on the water users, district, association, or other reclamation organization liable for such charges. Such investigation shall include an examination and consideration of any statement filed with the commission, or the Department of the Interior, by any such district, association, or other reclamation organization, or the water users thereof, and, where deemed advisable by the commission and requested by such district, association, or other reclamation organization, said commission may proceed to such project and hold hearings, the proceedings of which shall be reduced to writing and filed with its reports. Said commission, after having made careful investigation and study of the financial, economic, and other conditions of the various United States and Indian reclamation projects and their probable present and future ability to meet such water-right charges, shall report to the Congress as soon as practicable, with its recommendations as to the best, most feasible, and practicable comprehensive permanent plan for such water-right payments with due consideration for the development and carrying on of the reclamation program of the United States, and having particularly in mind the probable ability of such water users, districts, associations, or other reclamation organizations to meet such water-right charges regularly and fully from year to year during periods of prosperity and good prices for agricultural products as well as during periods of decline in agricultural income and unsatisfactory conditions of agriculture.

United States and Indian reclamation projects.
Commission created to investigate financial, etc., conditions.

Ability to pay water right charges.

Scope of investigation.

Report and recommendations to Congress.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $30,000, which shall be available for expenditure, as the Secretary of the Interior may direct, for expenses and all necessary disbursements, including salaries, in carrying out the provisions of this Act. The commission is authorized to appoint and fix the compensation of such employees as may be necessary for carrying out its functions under this Act without regard to civil-service laws or the Classification Act of 1923, as amended.

Appropriation authorized for expenses.

Personal services.
5 U. S. C. §§ 631–652; 661–674.

SEC. 3. If upon investigation the commission shall find that a project, because of partial crop failure due to a water shortage or other causes

Extension of time for payment where conditions justify.

beyond the control of the water users, is unable to make full payment of the construction charges becoming due and payable for the calendar year 1937, without great hardship or undue burden, the commission is hereby authorized to certify that fact to the Secretary and such certification, if approved by said Secretary, shall operate to grant an extension of time for the payment of such proportion of the construction charges due for the calendar year 1937 as the commission considers just and equitable, the proportion of the charges so extended to be paid at such time as the Secretary may determine.

Sections repealed. 49 Stat., 1206, 1207; ante, 464.

SEC. 4. Sections 1 and 2 of the Act approved April 14, 1936 (Public, Numbered 519, Seventy-fourth Congress), are hereby repealed.

Approved, August 21, 1937.

August 25, 1937. [H. R. 8245.]
50 Stat., 755.

CHAP. 757.—An Act Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1938, and for other purposes

Third Deficiency Appropriation Act, fiscal year 1937.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1938, and for other purposes, namely:

* * * * * * *

Interior Department.

DEPARTMENT OF THE INTERIOR

* * * * * * *

Indian Affairs Bureau.

BUREAU OF INDIAN AFFAIRS

Pawnee Agency, Okla., sewers.

Indian agency buildings: For improvement of the sewer system, Pawnee Agency, Oklahoma, fiscal year 1938, $15,000.

Supplies, purchase and transportation. Balance, 1936 Act made available for fiscal year 1935. 49 Stat., 181; ante, 407.

Purchase and transportation of Indian supplies: Not to exceed $30,000 of the unobligated balance of the appropriation under this head contained in the Interior Department Appropriation Act for the fiscal year 1936 is hereby made available for the same purpose for the fiscal year 1935.

Vehicles; limitation on expenditure increased. 49 Stat., 1764; ante, 480.

Vehicles, Indian Service: The limitation of $160,000 on the amount of applicable appropriations for the Bureau of Indian Affairs contained in the Interior Department Appropriation Act, fiscal year 1937, that may be expended for the purchase and exchange of motor-propelled, passenger-carrying vehicles for the use of employees in the Indian field service, including the transportation of Indian school pupils, is hereby increased to $185,000.

Santa Rosa Band of Mission Indians, Calif., land acquisition. *Ante*, 512.

Santa Rosa Band of Indians, California: For the acquisition of land for the use and benefit of the Santa Rosa Band of Mission Indians in California, as authorized by the Act of April 17, 1937, fiscal year 1938, $500.

Sioux Indians of Pine Ridge Reservation, S. Dak. Payment to.

Ante, 518.

Payment to Sioux Indians for failure to receive allotments: For payment to various Sioux Indians of the Pine Ridge Reservation, South Dakota, or their heirs, on account of allotments of land to which they were entitled but did not receive, and for compensation of attorneys for services performed, all as authorized by the Act of June 29, 1937, fiscal year 1938, $79,038, to remain available until expended.

Fort Peck, Montana, irrigation system: For continuing the construction of the irrigation system, Fort Peck Reservation, Montana, including the purchase or rental of equipment, tools, and appliances and the acquisition of rights-of-way and payment of damages when necessary, fiscal year 1938, $100,000, reimbursable.

Fort Peck, Mont., irrigation system.

Maintenance assessments, Indian lands, Middle Rio Grande Conservancy District, New Mexico: For operation and maintenance assessments on newly reclaimed Indian lands within the Middle Rio Grande Conservancy District, New Mexico, fiscal year 1935, $12,570, or so much thereof as may be necessary, reimbursable.

Middle Rio Grande Conservancy district N. Mex., expenses.

BUREAU OF RECLAMATION

Reclamation Bureau.

* * * * * * *

Commission to investigate reclamation projects: For expenses and all necessary disbursements, including salaries, to be expended under the direction of the Secretary of the Interior, of the Commission authorized by the Act entitled "An Act to create a commission and to extend further relief to water users on United States reclamation projects and on Indian irrigation projects", fiscal year 1938, $30,000: *Provided*, That such sum shall not become available unless and until the aforesaid legislation is enacted into law.

Commission to investigate reclamation projects, expenses.
Ante, 547.

Proviso.
Availability.

* * * * * * *

AUDITED CLAIMS

Audited claims.

SEC. 4. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1934 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in House Document Numbered 315, Seventy-fifth Congress, there is appropriated as follows:

Payment of.

18 Stat., 110.
31 U. S. C. § 713.

23 Stat., 254.
5 U. S. C. § 266.

* * * * * * *

Department of the Interior:

Department of the Interior.

* * * * * * *

For purchase and transportation of Indian supplies, $117.37.

For Indian school support, $1,004.60.

For industry among Indians, $169.80.

For conservation of health among Indians, $86.17.

For Indian boarding schools, $532.55.

For obtaining employment for Indians, $108.71.

For fulfilling treaties with Sioux of different tribes, including Santee Sioux of Nebraska, North Dakota, and South Dakota, $3.86.

For education of natives of Alaska, $21.93.

For Indian agency buildings, $448.50.

For support of Indians and administration of Indian property, $33.23.

For agriculture and stock raising among Indians, $3.30.

For Emergency Conservation Fund (transfer from War to Interior, Indians, Act March 31, 1933), $48.

For salaries, Bureau of Indian Affairs, $242.77.

* * * * * * *

Additional audited claims.

(b) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1935 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in Senate Document Numbered 107, Seventy-fifth Congress, there is appropriated as follows:

18 Stat., 110.
31 U. S. C. § 713.

23 Stat., 254.
5 U. S. C. § 266.

* * * * * * *

Department of the Interior.

DEPARTMENT OF THE INTERIOR

* * * * * * *

For purchase and transportation of Indian supplies, $15.39.

For support of Indians and administration of Indian property, $36.91.

For fulfilling treaties with Sioux of different tribes, including Santee Sioux of Nebraska, North Dakota, and South Dakota, $9.78.

For education, Sioux Nation, $573.30.

For conservation of health among Indians, $99.82.

For loans and relief in stricken agricultural areas (transfer from Agriculture to Interior, Indians), $4.21.

For Emergency Conservation Fund (transfer from War to Interior, Indians, Act June 19, 1934), $1,294.20.

For Indian service supply fund, $91.25.

* * * * * * *

Approved, August 25, 1937.

August 25, 1937.
[H. R. 5787.]
50 Stat., 786.

CHAP. 759.—An Act Granting pensions and increases of pensions to certain soldiers who served in the Indian Wars from 1817 to 1898, and for other purposes

Pensions.
Service in Indian wars from 1817 to 1898.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the 1st day of the next month after the enactment of this Act, all surviving soldiers of the various Indian wars and campaigns who are now on the pension rolls or who may hereafter be placed thereon under the provisions of the Acts of July 27, 1892, June 27, 1902, and May 30, 1908, as amended by the Act of February 19, 1913, or under the Act of March 4, 1917, or the Act of March 3, 1927, shall be entitled to receive a pension not exceeding $55 per month and not less than $20 per month, proportioned to the degree of inability to earn a support as determined by the Administrator of Veterans' Affairs, and in determining such inability each and every infirmity shall be duly considered, and the aggregate of the disabilities shown be rated: *Provided*, That any such person who has reached the age of sixty-two years shall be entitled to receive a pension of $25 a month; in case such person has reached the age of sixty-eight years, $35 a month; in case such person has reached the age of seventy-two years, $45 a month; and in case such person has reached the age of seventy-five years, $55 a month: *Provided further*, That any such person who is now or hereafter may become, on account of age or physical or mental disabilities, helpless or blind, or so nearly helpless or blind as to need or require the regular aid and attendance of another person, shall be paid the rate of $72 a month: *And provided further*, That no one while an inmate of the United States Soldiers' Home or of any National or State Soldiers' Home shall be paid more than $50 per month under this Act.

27 Stat., 281; 37 Stat., 679; 39 Stat., 1199, vol. 4, 134; 44 Stat., 1361, vol. 4, 939.
Rates; degree of disability.

Provisos.
Age pension.

Helpless or blind persons.

Inmates of National or State Soldiers' Home.

Effective dates.

SEC. 2. That the increased rates of pension herein provided shall be effective from and after the 1st day of the month following the enactment of this Act as to those then in receipt of Indian War service pension, and as to those with claims then pending who are shown to be entitled to pension under one of the Acts enumerated herein, and as to all other cases where entitlement under this Act is shown, such pension shall commence from the date of filing application therefor in the Veterans' Administration on and after the enactment of this Act, and in such form as may be prescribed by the Administrator of Veterans' Affairs: *Provided*, That pension of $72 per month granted under this Act on the basis of requiring the regular aid and attendance of another person shall commence from the date of receipt in the Veterans' Administration of the evidence showing the requisite condition or the date of filing application therefor on and after the enactment of this Act, whichever is the later date, but such pension of $72 per month shall not be awarded to any person for any period during which he is maintained in an institution by the United States Government or a political subdivision thereof and is being furnished with nursing or attendant service: *Provided further*, That in no event shall the rates of pension provided in this Act be effective prior to the first day of the month following the enactment thereof.

Provisos.
Pension of those requiring attendant.

Effective date of payments.

Approved, August 25, 1937.

CHAP. 768.—An Act To establish the Pipestone National Monument in the State of Minnesota

August 25, 1937.
[S. 1075.]
50 Stat., 804.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the lands lying in Pipestone County, Minnesota, within the area hereinafter described are hereby dedicated and set apart as a national monument for the benefit and enjoyment of the people of the United States, under the name of the "Pipestone National Monument": Beginning at a point twenty-two and four-tenths feet north and forty-five and eight one-hundredths feet west of the southwest corner of section 1, township 106 north, range 46 west, fifth principal meridian; thence north one thousand six hundred and fifty-five feet; thence north eighty-nine degrees fifteen minutes east, seven hundred and eight feet; thence north no degrees forty-five minutes west, six hundred and seven and three-tenths feet; thence north sixty-two degrees five minutes east, nine hundred and eighty-seven and one-tenth feet; thence south twenty-seven degrees fifty-five minutes east, two hundred and sixty-four and five-tenths feet; thence south eighty-eight degrees nineteen minutes east, nine hundred and sixty-seven and five-tenths feet; thence south no degrees twenty-four minutes east, one hundred and forty-four and three-tenths feet; thence south eighty-three degrees forty-three minutes west, four hundred and seventy-two and four-tenths feet; thence south two degrees seventeen minutes east, two thousand two hundred and forty-nine feet; thence south eighty-nine degrees twenty minutes west, four hundred and fifty-eight and two-tenths feet; thence south no degrees no minutes east, one hundred and one and one-tenth feet; thence south ninety degrees no minutes west, one hundred and thirty-seven and two-tenths feet; thence north no degrees no minutes west, one hundred feet; thence south eighty-nine degrees twenty minutes west, one thousand six hundred and eighty-three and eight-tenths feet to the point of beginning; containing approximately one hundred and fifteen and eighty-six one-hundredths acres, including concourse, excluding from the area

Pipestone National Monument, Minn.
Establishment.

Description.

described herein forty-seven one-hundredths acres, constituting a right-of-way of the Chicago, Rock Island and Pacific Railway.

Administration.

SEC. 2. The administration, protection, and development of such monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, as amended.

39 Stat., 535.
16 U. S. C., § 1.

Quarrying of red pipestone.

SEC. 3. The quarrying of the red pipestone in the lands described in section 1 is hereby expressly reserved to Indians of all tribes, under regulations to be prescribed by the Secretary of the Interior.

Approved, August 25, 1937.

August 25, 1937.
[S. 1431.]
50 Stat., 805.

CHAP. 770.—An Act Limiting the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to counsel in certain cases

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the employment of Harry W. Blair as an attorney or counselor specially employed, retained, or appointed by the Attorney General or under authority of the Department of Justice to assist in the conduct of legal proceedings appertaining to claims in behalf of Osage Indians for the recovery of royalties on oil produced from tribal lands, including all proceedings therein and any other case or proceeding, appellate or otherwise, that may arise out of or pertain to the right of said Indians to royalties on oil produced from tribal lands, shall not be construed to be employment within the meaning of sections 109 and 113 of the Criminal Code of the United States, as amended (U. S. C., title 18, secs. 198 and 203), or section 190 of the Revised Statutes of the United States (U. S. C., title 5, sec. 99).

Harry W. Blair.
Restrictions respecting certain counsel waived in favor of.

18 U. S. C. §§ 198, 203.
R. S. § 190.
5 U. S. C. § 99.

Approved, August 25, 1937.

August 25, 1937.
[S. 2249.]
50 Stat., 806.

CHAP. 772.—An Act Providing for the manner of payment of taxes on gross production of minerals, including gas and oil, in Oklahoma

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever restricted Indian lands in the State of Oklahoma are subject to gross production tax on minerals, including oil and gas, the Secretary of the Interior, in his discretion, may cause such tax or taxes due the State of Oklahoma to be paid in the manner provided for by the statutes of the State of Oklahoma.

Oklahoma.
State gross production taxes on minerals, etc., restricted Indian lands.

Approved, August 25, 1937.

August 25, 1937.
[S. 2851.]
50 Stat., 810.

CHAP. 778.—An Act To authorize the reservation of minerals in future sales of lands of the Choctaw-Chickasaw Indians in Oklahoma

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter, in all sales of tribal lands of the Choctaw and Chickasaw Indians in Oklahoma provided for by existing law, the Secretary of the Interior is hereby authorized to offer such lands for sale subject to a reservation of the mineral rights therein, including oil and gas, for the benefit of said Indians, whenever in his judgment the interests of the Indians will best be served thereby.

Choctaw and Chickasaw Indians, Okla.
Reservation of mineral rights, etc., in future land sales.

Approved, August 25, 1937.

CHAP. 779.—An Act To authorize the Secretary of the Interior to lease or sell certain lands of the Agua Caliente or Palm Springs Reservation, California, for public airport use, and for other purposes

August 25, 1937.
[S. 2888.]
50 Stat., 811.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That with the consent of a majority of the adult members of the Agua Caliente or Palm Springs Band of Indians, the Secretary of the Interior be, and he is hereby, authorized in his discretion to lease or sell, under such rules and regulations as he may prescribe, to the Board of Supervisors, Riverside County, California, for a public airport and other uses and purposes incidental or appurtenant thereto, all or part of section 18, township 4 south, range 5 east, San Bernardino meridian, California; such lease may be assigned with the consent of the Secretary of the Interior to the city of Palm Springs if and when said city is incorporated.

Palm Springs Indian Reservation, Calif.
Lease, etc., of lands for public airport, authorized.

SEC. 2. Any lease executed pursuant to authority contained in this Act shall be for a period of time not to exceed twenty-five years and may be renewable in the discretion of the Secretary of the Interior upon such terms and for such a period of time as he may prescribe. The renewal period, however, shall not exceed the term of the original lease. The proceeds derived from the leasing of said lands shall be distributed in per-capita payments to the properly enrolled members of the band having rights on the reservation.

Duration of lease; renewal.

SEC. 3. In the event the land is sold as herein authorized, the proceeds from such sale shall be deposited in the Treasury of the United States to the credit of the Agua Caliente or Palm Springs Band of Indians and shall draw interest at the rate of 4 per centum per annum which interest shall be distributed in per-capita payments to properly enrolled members of the band.

Use of proceeds if land sold.

Approved, August 25, 1937.

CHAP. 866.—An Act To amend section 3 of the Act of June 18, 1934 (48 Stat. 984–988), relating to Indian lands in Arizona

August 28, 1937.
[S. 2188.]
50 Stat., 862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act of June 18, 1934 (48 Stat. 984–988), be, and it is hereby, amended to read as follows:

Indian lands in Arizona.
48 Stat., 984; ante, 378.
25 U. S. C. § 463.

"SEC. 3. (a) The Secretary of the Interior, if he shall find it to be in the public interest, is hereby authorized to restore to tribal ownership the remaining surplus lands of any Indian reservation heretofore opened, or authorized to be opened, to sale, or any other form of disposal by Presidential proclamation, or by any of the public-land laws of the United States: *Provided, however*, That valid rights or claims of any persons to any lands so withdrawn existing on the date of the withdrawal shall not be affected by this Act: *Provided further*, That this section shall not apply to lands within any reclamation project heretofore authorized in any Indian reservation.

Restoration of lands to tribal ownership.
Provisos.
Existing rights not affected.
Lands in reclamation projects.

"(b) (1) The order of the Department of the Interior signed, dated, and approved by Honorable Ray Lyman Wilbur, as Secretary of the Interior, on October 28, 1932, temporarily withdrawing lands of the Papago Indian Reservation in Arizona from all forms of mineral entry or claim under the public land mining laws, is hereby revoked and rescinded, and the lands of the said Papago Indian Reservation are hereby restored to exploration and location, under the existing mining laws of the United States, in accordance with the express terms and provisions declared and set forth in the Execu-

Order withdrawing lands from mineral entry, etc., revoked.

Provisos.
Payment for loss of improvements.

tive orders establishing said Papago Indian Reservation: *Provided*, That damages shall be paid to the superintendent or other officer in charge of the reservation for the credit of the owner thereof, for loss of any improvements on any land located for mining in such a sum as may be determined by the Secretary of the Interior to be the fair and reasonable value of such improvements: *Provided further*, That a yearly rental not to exceed 5 cents per acre shall be paid to the superintendent or other officer in charge of the reservation for deposit in the Treasury of the United States to the credit of the Papago Tribe for loss of the use or occupancy of any land withdrawn by the requirements of mining operations.

Annual rental.

Mineral patents.
Deposit in lieu of rent for loss of use, etc.

"(2) In the event any person or persons, partnership, corporation, or association desires a mineral patent, according to the mining laws of the United States, he or they shall first pay to the superintendent or other officer in charge of the reservation, for deposit in the Treasury of the United States to the credit of the Papago Tribe, the sum of $1 per acre in lieu of annual rental, as hereinbefore provided, to compensate for the loss of the use or occupancy of the lands withdrawn by the requirements of mining operations; but the sum thus deposited, except for a deduction of rental at the annual rate hereinbefore provided, shall be refunded to the applicant in the event that patent is not acquired: *Provided*, That an applicant for patent shall also pay to the superintendent or other officer in charge of the said reservation for the credit of the owner thereof, damages for the loss of improvements not theretofore paid, in such a sum as may be determined by the Secretary of the Interior to be the fair value thereof.

Refund, if patent not acquired.

Proviso.
Payment by applicant for damages for loss of improvements.

Water developments, restriction on use.

"(3) Water reservoirs, charcos, water holes, springs, wells, or any other form of water development by the United States or the Papago Indians shall not be used for mining purposes under the terms of this Act, except under permit from the Secretary of the Interior approved by the Papago Indian Council: *Provided*, That nothing herein shall be construed as interfering with or affecting the validity of the water rights of the Indians of this reservation: *Provided further*, That the appropriation of living water heretofore or hereafter affected by the Papago Indians is hereby recognized and validated subject to all the laws applicable thereto.

Provisos.
Rights of Indians not affected.

Appropriation of living water.

Rights-of-way, etc., not restricted.

"(4) Nothing herein contained shall restrict the granting or use of permits for easements or rights-of-way; or ingress or egress over the lands for all proper and lawful purposes; and nothing contained herein, except as expressly provided, shall be construed as authority for the Secretary of the Interior, or any other person, to issue or promulgate a rule or regulation in conflict with the Executive order of February 1, 1917, creating the Papago Indian Reservation in Arizona or the Act of February 21, 1931 (46 Stat. 1202)."

46 Stat., 1202; ante, 230.

Approved, August 28, 1937.

August 28, 1937.
[S. 2774.]
50 Stat., 864.

CHAP. 868.—An Act to authorize the Secretary of the Interior to relinquish in favor of the Blackfeet Tribe of the Blackfeet Indian Reservation, Montana, the interest in certain land acquired by the United States under the Federal Reclamation Laws

Blackfeet Indians, Mont.
Relinquishment of lands held for reclamation purposes to.

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 hereby authorized to relinquish in favor of the Blackfeet Tribe of the Blackfeet Indian Reservation, Montana, the interest acquired by the United States for Federal reclamation purposes in the lands within the exterior boundaries of the present Blackfeet Indian Reservation, that were acquired for Federal recla-

mation purposes and are determined in the opinion of said Secretary not to be needed for such purposes. Such relinquishment shall be conditioned upon the repayment into the reclamation fund of a sum equal to the amount taken therefrom for the purchase of the lands so relinquished, including the amounts paid for the benefit of allottees where the land acquired for Federal reclamation purposes was allotted land. Upon such relinquishment and payment being made, the title to said lands shall be and remain in the United States in trust for the Indians of the Blackfeet Tribe of the Blackfeet Indian Reservation of Montana: *Provided*, That in making such relinquishments the Secretary may reserve for Federal reclamation purposes such easements and rights as in his opinion may be required for present or future developments under the Federal reclamation laws, and the amount payable into the reclamation fund on account of such relinquishment shall be reduced by the value of the easements and rights so retained for Federal reclamation purposes, such value to be conclusively ascertained by said Secretary: *Provided further*, That no relinquishments herein authorized shall be effective unless approved in writing by the Blackfeet Tribal Council.

Conditions.

Title to be held in trust.

Provisos.
Easements, etc., reserved.

Approval by tribal council.

SEC. 2. The Secretary of the Interior is hereby authorized to expend from any moneys on deposit in the Treasury of the United States to the credit of the Blackfeet Indians not to exceed $30,000 for the purpose of carrying out the purposes of this Act.

Expenditure authorized.

Approved, August 28, 1937.

CHAP. 874.—An Act Authorizing the establishment of a revolving loan fund for the Klamath Indians, Oregon, and for other purposes

August 28, 1937.
[H. R. 5976.]
50 Stat., 872.

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 shall cause to be established on the books of the Treasury, out of any unobligated tribal funds of the Indians of the Klamath Reservation in Oregon (hereinafter referred to as the "Klamath Indians") on deposit in the Treasury of the United States, a capital reserve fund for said Klamath Indians. Such fund shall be created by setting aside the sum of $50,000 for the fiscal year 1937, and shall be augmented by additions of $50,000 for each fiscal year thereafter. Such fund shall be held in the Treasury of the United States and shall bear interest as provided by law. The interest upon such fund shall be used, insofar as it is sufficient, for the payment of the expenses of administration of the Klamath Indian Reservation in Oregon.

Klamath Indians, Oreg.
Capital reserve fund created out of tribal moneys for.

Annual increments.

Interest; use of.

SEC. 2. The Secretary of the Interior shall cause to be established on the books of the Treasury, out of any unobligated tribal funds of the Klamath Indians on deposit in the Treasury, a reimbursable loan fund from which loans may be made to enrolled Klamath Indians for industrial and agricultural assistance and the construction and improvement of homes (including the purchase of land and interests in land, building material, farming equipment, industrial equipment, trucks, livestock, feed, food, seed, tools, machinery, implements, household goods, bedding, clothing, or any other equipment or supplies necessary to enable such Indians to fit themselves for or to engage in farming, the livestock industry, or such other industrial or agricultural pursuits or avocations as will enable them to become self-supporting); for the educational advancement of such Indians; for financial assistance in cases of illness, death, or other emergency; for the maintenance and support of the aged, infirm, and incapacitated Klamath Indians; and for the repayment of reimbursable loans pre-

Reimbursable loan fund established; use of.

viously made to such Indians from tribal funds. For the establishment of such loan fund, the Secretary of the Interior shall immediately set aside the unexpended balance of any funds heretofore appropriated or authorized to be used out of the tribal funds of the Klamath Indians for the establishment of reimbursable loan funds for industrial assistance or for any other purpose; and in addition thereto, out of any unobligated tribal funds, $100,000 shall be set aside for the fiscal year 1938 and $50,000 for each of the next three fiscal years.

Annual additions.

Administration by a loan board.

SEC. 3. The reimbursable loan fund provided for in section 2 hereof shall be administered, under and subject to such rules and regulations as the Secretary of the Interior may prescribe, by a loan board composed of Klamath Indians of not to exceed five members: *Provided*, That in the event any property pledged as security is offered for sale to satisfy any obligation, the Klamath Indians shall have preferential right, except there shall be no discrimination as to terms of sale, to purchase the same: *Provided further*, That the expenses of administering such fund, including such per diem for members of the loan board as may be authorized by the Secretary of the Interior, shall be paid from such loan fund. After the fiscal year 1939 the aforesaid expenses of administration shall not exceed the amount received from service fees, surcharges, and interest paid in on loans.

Provisos.
Sale of pledges.

Operating expenses.

Types of property as security.

SEC. 4. For the purpose of providing adequate security for any loans made from the revolving reimbursable loan fund provided for in section 2 hereof, the Klamath Indians are hereby authorized to include in the securities offered therefor, in addition to any unrestricted real or personal property owned by them, any lands, interest in lands, rights, funds, future per-capita payments and other distributions of tribal assets, and other property, real, personal, or mixed, of any nature whatsoever, belonging to individual Klamath Indians, heretofore regarded or classed as trust or restricted Indian property.

Credit of repayments.

SEC. 5. All repayments made upon any loans made from the reimbursable loan fund herein provided for, all repayments made upon any loans made from reimbursable loan funds for industrial assistance or for other purposes heretofore established out of Klamath tribal funds, and all interest, surcharges, and service fees paid upon any such loans, shall be credited to the reimbursable loan fund herein provided for and shall become available for the purposes herein authorized.

Limitation.

SEC. 6. The amounts which the Secretary of the Interior shall cause to be added to the capital and loan funds established at his direction under the provisions of sections 1 and 2 of this Act during each fiscal year shall not exceed the amount of unobligated Klamath tribal funds on deposit in the Treasury of the United States available for that purpose.

Approved, August 28, 1937.

August 28, 1937.
[H. R. 6042.]
50 Stat., 873.

CHAP. 875.—An Act Making further provision with respect to the funds of the Metlakahtla Indians of Alaska

Metlakahtla Indians of Alaska.
Deposit of certain revenues as trust funds, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That revenue derived from leases or other contracts negotiated by the Secretary of the Interior for the benefit of the Metlakahtla Indians and such other persons occupying the Annette Islands Reserve, Alaska, as come within the purview of the Act of March 3, 1891 (26 Stat. 1101), shall be deposited into the Treasury as trust funds pursuant to the provisions of section 20 of the Permanent Appropriation Repeal Act, 1934 (48 Stat. 1224), shall bear interest at the rate of 4 per centum per annum,

26 Stat., 1101, vol. 1, 438.
48 Stat., 1224; ante, 388.
31 U. S. C. § 725s.
Interest.

and shall be subject to expenditure under such rules and regulations as the said Secretary may prescribe.

Credit of designated funds to trust-fund account.

SEC. 2. There shall be credited to the trust-fund account so established the excess, if any, of (1) the unexpended balance of the repealed special fund appropriation "5S740 Annette Islands Reserve, Alaska, fund from leases" and (2) the amount of receipts derived from the Annette Islands Reserve, Alaska, covered into the Treasury pursuant to section 4 of the Permanent Appropriation Repeal Act, 1934, over expenditures from appropriations provided for "Expenses, Annette Islands Reserve, Alaska (Receipt Limitation)", and the amount so credited shall be subject to expenditure as prescribed in section 1 hereof.

Expenditure.

Interest.

SEC. 3. Interest accruing on said trust-fund account shall be available for the same purposes as the principal.

Approved, August 28, 1937.

CHAP. 890.—An Act Relating to certain lands within the boundaries of the Crow Reservation, Montana

August 31, 1937.
[H. R. 7649.]
50 Stat., 884.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of that area within the Crow Indian Reservation, Montana, described, as: "Beginning at the northwest corner of lot eleven, section 3; thence east along the north boundary line of the Crow Indian Reservation to the west meander line of the Big Horn River; thence southeasterly along the west meander line of the said Big Horn River to its intersection with the north and south center line of section twelve; thence south along the said center line of sections twelve and thirteen to the center of section thirteen; thence west to the northwest corner of the northeast quarter of the southwest quarter of said section thirteen; thence south to the southeast corner of the northwest quarter of the northwest quarter of section twenty-five; thence west to the northwest corner of lot two, section twenty-seven; thence north along the boundary line of the Crow Indian Reservation to the point of beginning, all in township 1 south, range 33 east, principal meridian, Montana, be, and the same is hereby, eliminated and excluded from the Crow Indian Reservation in the State of Montana.

Crow Indian Reservation, Mont.
Certain land eliminated from.
Description.

Indian liquor laws not affected.

SEC. 2. Nothing contained in this Act shall be construed to discontinue or repeal the provisions of the Indian liquor laws which prohibit the sale, gift, barter, exchange, or other disposition of beer, wine, and other liquors to Indians of the classes set forth in the Act of January 30, 1897 (29 Stat. L. 506; U. S. C., title 25, sec. 241).

29 Stat., 506, vol. 1, 83.
25 U. S. C. § 241.

SEC. 3. All Acts or parts of Acts in conflict herewith are hereby repealed.

Conflicting laws repealed.

Approved, August 31, 1937.

CHAP. 897.—An Act To provide subsistence for the Eskimos and other natives of Alaska by establishing for them a permanent and self-sustaining economy; to encourage and develop native activity in all branches of the reindeer industry; and for other purposes

September 1, 1937.
[S. 1722.]
50 Stat., 900.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a necessity for providing means of subsistence for the Eskimos and other natives of Alaska is hereby declared to exist. It is also declared to be the policy of Congress, and the purpose of this Act, to establish and maintain for the said natives of Alaska a self-sustaining economy by acquiring and organizing for and on behalf of said natives a reindeer

Alaska.
Reindeer industry, establishment, etc.
Policy and purpose declared.

industry or business, by encouraging and developing native activity and responsibility in all branches of the said industry or business, and by preserving the native character of the said industry or business thus established.

Government acquisition of reindeer, range equipment, etc.

SEC. 2. The Secretary of the Interior is hereby authorized and directed, to acquire, in the name of the United States, by purchase or other lawful means, including exercise of the power of eminent domain, for and on behalf of the Eskimos and other natives of Alaska, reindeer, reindeer-range equipment, abbatoirs, cold-storage plants, warehouses, and other property, real or personal, the acquisition of which he determines to be necessary to the effectuation of the purposes of this Act. Any condemnation proceedings undertaken by virtue of the authority granted in this section shall conform, as nearly as may be, to the procedure provided for the condemnation of real estate by the Act of August 1, 1888 (Chapter 728), or to that provided by the Act of February 26, 1931 (Chapter 307): *Provided*, That nothing herein contained shall authorize the Secretary of the Interior to consolidate native-owned herds of reindeer with herds owned by others than natives prior to the purchase or acquisition of such herds of others than natives.

Condemnation proceedings.

40 U. S. C. §§ 257, 258a.

Proviso.
Consolidation of native-owned with nonnative-owned herds.

Declarations of ownership by nonnatives to be filed.

SEC. 3. All persons, other than natives of Alaska, who upon the date of this enactment claim title to any Alaskan reindeer shall, within one year after the date of this enactment, file in Alaska, with the duly authorized agent or agents of the Secretary of the Interior, declarations of their ownership. Similar declarations concerning Alaskan reindeer acquired by any person not a native of Alaska by purchase or by gift at any time after the date of this enactment shall be filed as aforesaid within thirty days after the date of such acquisition. Records of all declarations thus filed shall be made and kept open to public inspection in Alaska. If any owner of Alaskan reindeer, to whom the foregoing provisions of this section are applicable, shall fail to file the required declaration within the stated period, he shall be barred thereafter from asserting his claim of title.

Records; open to inspection.

Failure to file declaration.

Acceptance of gifts.

SEC. 4. The Secretary of the Interior is hereby authorized to receive, in the name of the United States, for and on behalf of said natives of Alaska, gifts made for the purposes of this Act.

Federal loans, allocations, etc.

SEC. 5. The Secretary of the Interior is hereby authorized to receive and expend, for the purposes of this Act, properly authorized loans, grants, or allocations made to him for said purposes by Federal agencies.

Receipts to constitute a revolving fund.

SEC. 6. Except as herein otherwise specially provided, none of the moneys collected or received by the Secretary of the Interior in his administration of this Act shall be paid into the Treasury, but all such moneys shall constitute a revolving fund to be administered by the Secretary of the Interior for the purposes of this Act.

Establishment of permanent, self-sustaining economy authorized.

SEC. 7. The Secretary of the Interior is authorized and directed to organize and manage the reindeer industry or business provided for by this Act in such manner as to establish and maintain for said natives of Alaska a complete and self-sustaining economy and to encourage and develop the activity and responsibility of said natives in all branches of said industry or business.

Distributions to natives.

SEC. 8. The Secretary of the Interior is authorized to distribute the reindeer and other property acquired by the United States under this Act among the Eskimos or other natives of Alaska, or to corporations, associations, or organizations of said natives, either in the form of gifts or under such conditions as the Secretary of the Interior may prescribe, and to execute and deliver appropriate instruments of title, or to hold and use the same in trust for the use and benefit of said

natives, with a view of effecting the widest possible distribution of such reindeer and other property among those natives of Alaska who are in need thereof and who can make proper use of the same. The Secretary of the Interior may from time to time, in such manner as he determines to be proper for effectuating the purposes of this Act, distribute among those of said natives or corporations, associations, or other organizations of said natives, who are engaged in said industry or business or for whose subsistence reindeer are necessary, whatever profits may be earned by that part of the industry or business which is owned by the United States and which may, in the judgment of the Secretary of the Interior, be distributed in accordance with sound business practice.

Profits.

SEC. 9. The Secretary of the Interior is hereby authorized to grant, in his discretion and subject to such terms as he may impose, to any corporations, associations, or other organizations of said natives any or all of the powers relating to the administration of the reindeer industry or business herein provided for, upon a finding by him as to each grant that it is in the interests of the said natives of Alaska and will serve the purposes of this Act.

Delegation of powers.

SEC. 10. Live reindeer in Alaska, and the increase thereof, acquired by the Secretary of the Interior pursuant to this Act, and live reindeer in Alaska, and the increase thereof, owned by the said natives of natives, or corporations, associations, or other organizations of said natives, however acquired, shall not be sold or transferred, by descent, devise, or in any other manner whatsoever, to anyone other than the said natives of Alaska the United States for and on behalf of said natives, or corporations, associations, or other organizations of said natives, except with the consent in writing of the Secretary of the Interior or his duly authorized agent, stating that such consent is given upon the condition that the reindeer, and any increase thereof, sold or otherwise transferred with said consent, shall either be butchered in the Territory of Alaska within thirty days or shipped out of said Territory and never brought back alive into said Territory. Sales or other transfers of said reindeer, if made without the consent in writing herein required, or, although made with said consent, if followed by failure to comply with the condition therein required, shall be null and void, and shall not pass any title to or right to possession of any reindeer or increase thereof. No stock or other interest in any corporation, association, or other organization of said natives, engaged in or organized for the purpose of engaging in the reindeer industry or business, shall be transferred, by descent, devise, or in any other manner whatsoever, to anyone other than said natives of Alaska, the United States for and on behalf of said natives, or corporations, associations, or other organizations of said natives. Any willful violation of the provisions of this section of this Act by any vendee or other transferee shall be punishable by a fine of not more than $500: *Provided*, That no title to any reindeer, or reindeer products, owned by the United States for and on behalf of the said natives of Alaska, nor any title to reindeer, or reindeer products, owned by any of said natives or said corporations, associations, or other organizations of said natives, nor any stock or other interest in said corporations, associations, or other organizations of said natives, shall be transferred by descent, devise, or in any other manner whatsoever, except pursuant to regulations promulgated by the Secretary of the Interior for the purposes of preserving the native character of the reindeer industry or business in Alaska and effectuating the other purposes of this Act: *Provided further*, That nothing herein contained shall prevent any native of Alaska who owns reindeer or any interest therein through

Sale or transfer by descent, etc., to other than natives.

Transfer of stock of native organization to nonnative, etc.

Penalty for violation.

Provisos.
Title restrictions.

Transfer to native relatives.

stock ownership, or otherwise, in any corporation or association or other organization owning reindeer, from transferring his reindeer, or any interest therein, to his children or other native relatives by gift, sale, devise, or bequest, or prevent the same from being so transferred or passed by descent.

"Reindeer" defined.

SEC. 11. "Reindeer" as used in this Act shall be understood to include reindeer and such caribou as have been introduced into animal husbandry or have actually joined reindeer herds, and the increase thereof.

Rules and regulations.

SEC. 12. The Secretary of the Interior is hereby authorized to promulgate such rules and regulations as, in his judgment, are necessary to carry into effect the provisions of this Act.

Appointment of natives to supervisory positions.

SEC. 13. Whenever, in his judgment, it is practicable and to the best interests of the natives the Secretary shall appoint natives to the supervisory and other positions in the administration of such reindeer industry or business.

Grazing, ranges, etc.

SEC. 14. In order to coordinate the use of public lands in Alaska for grazing reindeer with the purposes of this Act, the Secretary of the Interior is hereby authorized to regulate the grazing of reindeer upon said lands. He may, in his discretion, define reindeer ranges and regulate the use thereof for grazing reindeer; issue grazing permits; regulate and control all round-ups, handlings, markings, and butcherings of reindeer upon said public lands; and may issue rules and regulations to carry into effect the provisions of this section of this Act. Any person who willfully violates any of the rules and regulations promulgated for the purpose of carrying into effect the provisions of this section of this Act shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment for not more than one year or by a fine of not more than $500.

Penalty provisions.

"Natives of Alaska" defined, Indians. 15 Stat., 539.

SEC. 15. The term "natives of Alaska" as used herein shall be deemed to mean the native Indians, Eskimos, and Aleuts of whole or part blood inhabiting Alaska at the time of the Treaty of Cession of Alaska to the United States and their descendants of whole or part blood, together with the Indians and Eskimos who, since the year 1867 and prior to the enactment hereof, have migrated into Alaska from the Dominion of Canada, and their descendants of the whole or part blood.

Appropriation authorized.

SEC. 16. The sum of $2,000,000 is hereby authorized to be appropriated for the use of the Secretary of the Interior in carrying out the provisions of this Act.

Inconsistent Acts repealed.

SEC. 17. All Acts of Congress or parts thereof which are inconsistent with the provisions of this Act are hereby repealed.

Approved, September 1, 1937.

PRIVATE ACTS OF THE SEVENTY-FIFTH CONGRESS, FIRST SESSION, 1937

April 17, 1937. [S. 1423.]
50 Stat., 943.

CHAP. 112.—An Act For the relief of G. A. Trotter

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of G. A. Trotter, former superintendent and special disbursing agent of the Zuni Indian Agency, for payments aggregating $102.40 made to Will Halloran as

G. A. Trotter. Credit allowed in accounts of.

mileage for the use of his personally owned automobile while performing his official duties as road supervisor in the Indian Service.

Approved, April 17, 1937.

CHAP. 174.—An Act For the relief of Edmond G. Warren

May 6, 1937.
[H. R. 2985.]
50 Stat., 955.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitations of time in Sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are hereby waived in favor of Edmond G. Warren, of Keams Canyon, Arizona, and the Employees' Compensation Commission is hereby authorized and directed to receive and consider his claim, if filed within six months from the approval of this Act, for disability alleged to have been sustained in the performance of his duties as principal of the United States Indian Service Boarding School, Chin Lee, Arizona, in May 1928: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Edmond G. Warren, provisions of Employees' Compensation Act extended to.
39 Stat., 746, 747.
5 U. S. C. §§ 765–770.

Proviso.
No prior benefits.

Approved, May 6, 1937.

CHAP. 504.—An Act For the relief of Halle D. McCullough

July 16, 1937.
[S. 1934.]
50 Stat., 1033.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of Halle D. McCullough, as superintendent and special disbursing agent of Fort Berthold Indian Agency, Elbowoods, North Dakota, for expenditures of $283.61 and $107.06 made during the month of June 1933 from the fund "Indian moneys, proceeds of labor, Fort Berthold Agency," which sums have been disallowed by the General Accounting Office for lack of accounting evidence to substantiate the propriety of the expenditures.

Halle D. McCullough.
Credit in accounts.

Approved, July 16, 1937.

CHAP. 677.—An Act For the relief of A. H. Sphar

August 16, 1937.
[H. R. 2488.]
50 Stat., 1061.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, the sum of $100 to A. H. Sphar, of Cortez, Colorado, as reimbursement for the loss of a bull which died from poison on September 27, 1925, while loaned to and in the possession of the Government at the Ute Mountain Indian School at Towaoc, Colorado: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the

A. H. Sphar, payment to.

Proviso.

Limitation on attorney's, etc., fees.

Penalty for violation.

contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved, August 16, 1937.

August 28, 1937.
[S. 1402.]
50 Stat., 1100.

CHAP. 880.—An Act For the relief of P. S. Everest

P. S. Everest.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to P. S. Everest, former superintendent and special disbursing agent for the Lac du Flambeau Indian Agency, Lac du Flambeau, Wisconsin, the sum of $515.14, said sum to be in full settlement of the claim against the United States for a refund of interest paid to the Government on the principal sum of $1,712.23, representing losses incurred from January 30 to July 30, 1930, on account of the fraudulent acts of W. H. Shawnee, deputy disbursing agent, which principal sum has been paid to P. S. Everest by the surety of W. H. Shawnee: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 28, 1937.

August 28, 1937.
[S. 2299.]
50 Stat., 1102.

CHAP. 884.—An Act For the relief of M. M. Twichel

M. M. Twichel.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay to M. M. Twichel, of Saint Ignatius, Montana, out of any money in the Treasury not otherwise appropriated, the sum of $3,346.66, or so much thereof as may be necessary, in full and complete satisfaction of his claim against the United States for compensation for services rendered and expenses incurred in connection with the burial of Indians on the Flathead Reservation, Montana, prior to April 30, 1937: *Provided*, That before any payment is made hereunder the Secretary of the Interior shall certify that no part of the amount claimed has heretofore been paid: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Provisos.
Condition.

Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 28, 1937.

August 28, 1937.
[S. 2374.]
50 Stat., 1102.

CHAP. 886.—An Act For the relief of F. A. Gross and others

F. A. Gross and others.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby authorized and directed to allow credit in the accounts of F. A. Gross, Superintendent

of the Fort Hall Indian Agency; Donald H. Biery, Superintendent of the Sherman Institute; Lem A. Towers, Superintendent of the Southern Pueblos Indian Agency; and G. F. Allen, Chief Disbursing Officer of the Treasury Department, for expenditures made for travel expense, compensation and per diem of certain Indian employees of the Indian Service while attending the fourth seminar in education at Yale University, during the fiscal year 1935, under authorities issued by the Commissioner of Indian Affairs.

Credit in accounts.

Approved, August 28, 1937.

(No Indian laws enacted in 75th Congress, 2nd session.)

PUBLIC ACTS OF THE SEVENTY-FIFTH CONGRESS, THIRD SESSION, 1938

CHAP. 33.—An Act Amending Acts fixing the rate of payment of irrigation construction costs on the Wapato Indian irrigation project, Yakima, Washington, and for other purposes

February 24, 1938.
[S. 558.]
52 Stat., 80.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the Act approved February 14, 1920 (41 Stat. 431), as amended by the Act approved May 25, 1922 (42 Stat. L. 595 and 596), as fixes the annual rate of payment of irrigation construction costs or assessments on the Wapato Indian irrigation project on the Yakima Reservation in the State of Washington, be, and it is hereby, amended so as to fix the per-acre per-annum assessment rate at $1.25 against those lands classed as A or B which are subject to construction assessments pursuant to existing law. Such rate is to take effect immediately upon approval of this Act and shall continue until the total cost assessable under existing law against such of the A and B lands shall have been repaid.

Yakima Indian Reservation, Wash.
Wapato irrigation project.
41 Stat., 431, vol. 4, 259; 42 Stat., 595, vol. 4, 359.
Construction charges.

Assessment rate.

Effective date and duration.

SEC. 2. The Secretary of the Interior is hereby authorized and directed to modify the annual repayment schedule set forth in the memorandum agreement of March 9, 1921, approved March 31, 1921, as amended, wherein provision is made among other things for payment of the actual cost of the two hundred and fifty thousand acre-feet of water for certain of the lands under the Wapato Indian irrigation project so as to extend payment of the balance of the cost of such water over a twenty-four-year period commencing with the payment due December 31, 1937.

Annual repayment schedule, modification.

Approved, February 24, 1938.

CHAP. 42.—An Act Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1938, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1938, and for other purposes

March 5, 1938.
[H. R. 9306.]
52 Stat., 85.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1938, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1938, and for other purposes, namely:

First Deficiency Appropriation Act, fiscal year 1938.

* * * * * * *

Audited claims.

AUDITED CLAIMS

Payment.

SEC. 4. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1935 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in House Document Numbered 498, Seventy-fifth Congress, there is appropriated as follows:

18 Stat., 110.
31 U. S. C. § 713.

23 Stat., 254.
5 U. S. C. § 266

* * * * * * *

Department of the Interior.

Department of the Interior:

* * * * * * *

For agriculture and stock raising among Indians, $20.80.

For conservation of health among Indians, $2,046.92.

For fulfilling treaties with Sioux of different tribes, including Santee Sioux of Nebraska, North Dakota, and South Dakota, $125.50.

For Indian boarding schools, $982.85.

For Indian school support, $977.71.

For Indian schools, Five Civilized Tribes, 30 cents.

For improvement, maintenance, and operation, irrigation systems, Crow Reservation, Montana (reimbursable), $8.76.

For obtaining employment for Indians, $12.65.

For pay of Indian police, $15.41.

For purchase and transportation of Indian supplies, $50.30.

For relieving distress and prevention, and so forth, of diseases among Indians, $63.75.

For support of Indians and administration of Indian property, $999.05.

For education, Sioux Nation, $270.07.

48 Stat., 22.

For emergency conservation fund (transfer from War to Interior, Indians, Act March 31, 1933), $898.23.

48 Stat., 1021.
Ante, 384.

For emergency conservation fund (transfer from War to Interior, Indians, Act June 19, 1934), $234.51.

For loans and relief in stricken agricultural areas (transfer from Agriculture to Interior, Indians), $218.63.

* * * * * * *

Additional audited claims.

(b) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1935 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in Senate Document Numbered 146, Seventy-fifth Congress, there is appropriated as follows:

18 Stat., 110.
31 U. S. C. § 713.

23 Stat., 254.
5 U. S. C. § 266.

* * * * * * *

Department of the Interior.

Department of the Interior: For conservation of health among Indians, $38.06.

For support of Indians and administration of Indian property, $1.92.

For emergency conservation fund (transfer from War to Interior, Indians, Act March 31, 1933), $2.25.

For emergency conservation fund (transfer from War to Interior, Indians, Act June 19, 1934), $1,009.69. 48 Stat., 1021, ante, 384.

* * * * * * *

Approved, March 5, 1938.

CHAP. 63.—An Act To authorize the Secretary of the Interior to grant concessions on reservoir sites and other lands in connection with Federal Indian irrigation projects wholly or partly Indian, and to lease the lands in such reserves for agricultural, grazing, and other purposes

April 4, 1938.
[S. 1945.]
52 Stat., 193.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to grant concessions on reservoir sites, reserves for canals or flowage areas, and other lands under his jurisdiction which have been withdrawn or otherwise acquired in connection with the San Carlos, Fort Hall, Flathead, and Duck Valley or Western Shoshone irrigation projects for the benefit in whole or in part of Indians, and to lease such lands for agricultural, grazing, or other purposes: *Provided*, That no lands so leased shall be eligible for benefit payments under the crop control program, or the soil conservation act: *Provided further*, That such concessions may be granted or lands leased by the Secretary of the Interior under such rules, regulations, and laws as govern his administration of the public domain as far as applicable, for such considerations, monetary or otherwise, and for such periods of time as he may deem proper, the term of no concession to exceed a period of ten years: *Provided further*, That the funds derived from such concessions or leases, except funds so derived from Indian tribal property withdrawn for irrigation purposes and for which the tribe has not been compensated, shall be available for expenditure in accordance with the existing laws in the operation and maintenance of the irrigation projects with which they are connected. Any funds derived from reserves for which the tribe has not been compensated shall be deposited to the credit of the proper tribe: *Provided further*, That where tribal lands of any Indian tribe organized under section 16 of the Act of June 18, 1934 (48 Stat. 984), have been withdrawn or reserved for the purposes hereinbefore mentioned, such lands may be leased or concessions may be granted thereon only by the proper tribal authorities, upon such conditions and subject to such limitations as may be set forth in the constitution and bylaws or charter of the respective tribes.

Indian irrigation projects.
Concessions on reservoir sites and other lands, authorized.

Leases for agricultural, grazing, etc., purposes.
Provisos.
Ineligibility for benefit payments.

Conditions prescribed.

Term limitation.

Maintenance, etc.

Use of funds from reserves for which tribe has not been compensated.

Tribal lands; lease restrictions.
48 Stat., 987; ante, 380.
25 U. S. C. § 476.

Approved, April 4, 1938.

CHAP. 120.—An Act To amend an Act entitled "An Act to refer the claim of the Menominee Tribe of Indians to the Court of Claims with the absolute right of appeal to the Supreme Court of the United States", approved September 3, 1935[1]

April 8, 1938.
[H. R. 7277.]
52 Stat., 208.

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 refer the claim of the Menominee Tribe of Indians to the Court of Claims, with the absolute right to appeal to the Supreme Court of the United States" (Public, Numbered 413, Seventy-fourth Congress), approved September 3, 1935, is hereby amended in the following particulars:

Menominee Tribe of Indians.
49 Stat., 1085; ante, 450.

Section 2 of said Act is hereby repealed and in lieu thereof the following is enacted:

Section repealed.

[1] Ct. Cls. Docket No. 43646; 14,294 to 44,306.

Prosecution of claims; separate suits permitted.

"SEC. 2. The Menominee Tribe of Indians is hereby empowered to prosecute any and all of its claims by bringing at its election, acting through its attorneys, a suit or suits, as party plaintiff, against the United States, as party defendant, by filing a petition or petitions in the Court of Claims and serving with respect to each petition a copy thereof on the Attorney General of the United States. Such petition or petitions shall set forth the facts on which the claims for recovery are based and shall be verified by the attorney or attorneys employed by said Menominee Tribe of Indians in accordance with existing law to prosecute such claims which may be made upon information and belief and no other verification shall be necessary. Any suit hereunder shall be instituted by the filing of a petition in the Court of Claims before the end of the calendar year of 1938. The petition or petitions shall be subject to amendment at any time prior to final submission of the case to the Court of Claims."

Facts to be set forth in petition.

Limitation of action.

Amendment.

Principes of law applicable; clarifying phrase.

The first sentence of section 3 of said Act is amended by repealing the words "said suit" and inserting in lieu thereof the words "any suit instituted hereunder".

49 Stat., 1086; ante, 451.

Unlawfully cut timber.

Section 6 (c) of said Act is hereby amended to read as follows:

"(c) If it shall be determined by the court that the United States has violated the terms and provisions of the Act of Congress of March 28, 1908 (35 Stat. L. 51), by cutting other than dead and down timber or such fully matured and ripened timber as the Forestry Service shall have properly designated, or by cutting such timber so as to prevent forest perpetuation, the court shall award as damages to the Menominee Tribe of Indians either (1) the difference between the net income which would have been and would be received from an acreage which would have produced, under selective cutting, if then cut, the same volume of timber as that unlawfully cut, from the time of the commencement of the unlawful cutting up to the time when the timber unlawfully cut shall have been replaced by replanting and the sustained yield from the said replanted timber shall be equal, acre for acre, to the sustained yield from the timber had it been selectively cut so as to perpetuate the forest, as required by law, with interest thereon at the rate of 4 per centum per annum for the same period, said period, wherever specified herein, to be deemed to end sixty years from the time of replacement by planting, unless otherwise determined at the trial, plus the cost of replacement of the timber on the same areas, including the necessary protection until the replanted timber shall have attained the said sustained yield, and the net income that has been and will be received from the liquidation of the timber on the acreage unlawfully cut; or (2) the cost of replacement of timber on the respective areas thus unlawfully cut, including the necessary protection until the replanted timber shall have attained the aforesaid sustained yield plus interest at 4 per centum per annum for the same period of time on an amount equal to the reasonable value as of the date of the unlawful cutting of the timber on the areas thus cut; whichever is the greater. The term 'net income' shall include the stumpage value of the timber that would have been cut under selective cutting or that was cut under clear cutting. The cost of replacement, including fire lines of the timber on the acreage unlawfully cut over, unless proved otherwise at the trial, shall be deemed to be $15 per acre, and the annual cost of fire protection, unless proved otherwise at the trial, shall be deemed to be 6 cents per acre per year."

35 Stat., 51, vol. 3, 317.

Computation of damages.

Interest.

Replacement cost.

Interest.

"Net income" to include stumpage value.

There is inserted as section 6 (e) the following:

"SEC. 6. (e) The causes of action and measures of damage set forth in the various paragraphs of this section 6 shall be construed to be independent of each other, but no one or all of said causes of action and measures of damage shall exclude the assertion of other causes of action as permitted by section 1 hereof or the application of other proper cumulative measures of damage."

Causes of action and measures of damage construed to be independent of each other.
49 Stat., 1087; ante, 452.

The first sentence of section 7 of said Act is amended by repealing the words "such suit", and inserting in lieu thereof the words "any suit".

Textual correction.
49 Stat., 1088; ante, 453.

Approved, April 8, 1938.

CHAP. 141.—An Act To set aside certain lands in Oklahoma for the Cheyenne and Arapahoe Indians

April 13, 1938.
[S. 2698.]
52 Stat., 213.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby eliminated from the Seger School Reserve and set aside for the use and benefit of the Indians of the Cheyenne and Arapahoe Reservation in Oklahoma, in township 10 north, range 14 west, Indian meridian, all of sections 22 and 23, all of section 21, except the east half northwest quarter and east half east half west half northwest quarter, and in section 15 a tract beginning at the northeast corner thereof, thence west along the north line of the section eighty-eight rods, thence south one hundred and sixty rods, thence east eighty-eight rods to the east line of the section, thence north one hundred and sixty rods to the point of beginning: *Provided*, That until otherwise directed by Congress none of the lands shall be allotted in severalty.

Cheyenne and Arapahoe Indians, Okla.
Designated lands set aside for use of.
Description.

Proviso.
Allotment in severalty forbidden.

Approved, April 13, 1938.

CHAP. 144.—An Act To provide for a flowage easement on certain ceded Chippewa Indian lands bordering Lake of the Woods Warroad River, and Rainy River, Minnesota, and for other purposes

April 13, 1938.
[H. R. 8432.]
52 Stat., 215.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all lands bordering on Lake of the Woods, Warroad River, and Rainy River, Minnesota, ceded and relinquished to the United States by the Chippewa Indians pursuant to the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota", approved January 14, 1889, and still owned by the United States, shall be subject to a flowage easement up to elevation one thousand and sixty-four sea-level datum, as required by the treaty of February 24, 1925 (44 Stat. L. 2108), between the United States and Great Britain and the Act of May 22, 1926 (44 Stat. L. 617), carrying the treaty into effect, as amended by the Act of April 18, 1928 (45 Stat. L. 431), which authorized and directed the Secretary of War to acquire by purchase or condemnation flowage easements upon all lands in the United States, bordering on Lake of the Woods, Warroad River, and Rainy River. All rights and equities of the Indians in and to the lands affected by said easement are hereby extinguished. In order to compensate the Indians for their rights and equities in said lands, the Secretary of War is hereby authorized to cause the sum of $11,740.75, less any amount that may be found to have been previously paid by the United States and for which it has not been fully reimbursed, to be transferred

Chippewa Indians of Minnesota.
Certain ceded lands to be subject to flowage easement.
25 Stat., 642, vol. 1, 301.

44 Stat., 2108, 617; 45 Stat., 431.

Rights, etc., of Indians extinguished.

Transfer of sum for compensating Indians for rights in said lands.

Funds available.

out of any balance of appropriations heretofore made for protective works and measures, Lake of the Woods and Rainy River, to the credit of the Chippewa Indians in the State of Minnesota as part of the fund created by section 7 of the said Act of January 14, 1889 (25 Stat. L. 642).

25 Stat., 645, vol. 1, 305.

Executive Orders 4867 and 5025 revoked.

SEC. 2. That Executive Orders Numbered 4867 and 5025, dated April 28, 1928, and January 14, 1929, respectively, withdrawing certain ceded lands from homestead entry for the purpose of facilitating acquisition of the flowage easement aforesaid, are hereby revoked: *Provided*,

Proviso.
Right to overflow sub-level lands reserved.

That such of the lands lying wholly or partly below elevation one thousand and sixty-four sea-level datum, shall forever be and remain subject to the right of the United States to overflow same or any part thereof, and that all patents issued for the said lands shall expressly reserve to the United States the right to overflow and flood said lands up to elevation one thousand and sixty-four. No moneys received from the sale or other disposition of any lands for which the Indians receive payment under section 1 hereof shall be placed to the credit of the Indians.

Restriction on credit of moneys to Indians from certain land sales, etc.

Approved, April 13, 1938.

April 13, 1938.
[H. R. 8885.]
52 Stat., 216.

CHAP. 145.—An Act For the benefit of the Goshute and other Indians, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the privately owned lands, commonly referred to as the Triune Ranch, within the following-described area have been purchased and acquired as hereafter authorized, the following-described lands be, and hereby are, set aside as a permanent reservation for the benefit of the Goshute and such other Indians as the Secretary of the Interior may locate thereon:

Goshute, etc., Indians.
Certain lands set aside as a permanent reservation for.

Description.

The east half section 1; east half section 12; northeast quarter section 13, township 22 north, range 69 east; sections 1 to 18, inclusive; east half section 24, east half section 25, east half section 36, township 23 north, range 69 east (unsurveyed); all of township 24 north, range 69 east (unsurveyed); sections 3 to 10, inclusive; north half; north half south half; southwest quarter of southwest quarter section 15; east half section 16; northwest quarter; north half northeast quarter section 17; north half section 18; northeast quarter section 21; west half northwest quarter section 22; fractional township 22 north, range 70 east; all of fractional township 23 north, range 70 east (unsurveyed); all of fractional township 24 north, range 70 east, except lot 5; northeast quarter southwest quarter and north half section 3, Mount Diablo base and meridian, Nevada.

Prior rights not affected.

This extension shall not affect any valid rights initiated prior to the approval hereof.

Purchase of certain private holdings, etc.

SEC. 2. That for the use and benefit of the Indians on the Goshute Reservation and such other Indians as the Secretary of the Interior may locate thereon, the Secretary of the Interior be, and he is hereby, authorized to purchase with any available funds heretofore or hereafter appropriated pursuant to authority contained in section 5 of the Act of June 18, 1934 (48 Stat. L. 984), all privately owned lands, interest in lands, water rights, or improvements upon the public domain within the area described in section 1 hereof and including all chattels located on that part of what is known as the Triune Ranch, located in said area. Title to the foregoing property to be acquired under the provisions of this Act shall be taken in trust

48 Stat., 985; ante, 378.
25 U. S. C. § 465.

Title to be taken in trust for Indians.

for such Goshute and other Indians as may be designated by the Secretary of the Interior.

Approved, April 13, 1938.

CHAP. 187.—An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1939, and for other purposes

May 9, 1938.
[H. R. 9621.]
52 Stat., 291.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1939, namely:

Interior Department Appropriation Act, 1939.

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CONTINGENT EXPENSES, DEPARTMENT OF THE INTERIOR

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For the purchase or exchange of professional and scientific books, law and medical books, and books to complete broken sets, periodicals, directories, and other books of reference relating to the business of the Department, $600, and in addition there is hereby made available from any appropriations made for any of the following bureaus or offices of the Department not to exceed the following respective sums: Indian Service, $500; Office of Education, $2,500; Bureau of Reclamation, $6,000; Geological Survey, $6,000; National Park Service, $2,000; General Land Office, $500; Bureau of Mines, $3,000.

Professional, etc., books, periodicals, etc.

Additional sums for designated offices.

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GENERAL LAND OFFICE

General Land Office.

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GENERAL EXPENSES

General expenses.

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Payment to Oklahoma from royalties, oil and gas, south half of Red River: For payment of 37½ per centum of the royalties derived from the south half of Red River in Oklahoma under the provisions of the Act of March 4, 1923 (30 U. S. C. 233), which shall be paid to the State of Oklahoma in lieu of all State and local taxes upon tribal funds accruing under said Act, to be expended by the State in the same manner as if received under section 35 of the Act approved February 25, 1920 (30 U. S. C. 191), $7,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Oklahoma.
Payment to, from royalties, south half of Red River.
42 Stat., 1448.
30 U. S. C. § 233.
In lieu of State, etc., taxes.

41 Stat., 450.
30 U. S. C. § 191.
Proviso.
Limitation.

48 Stat., 1227; ante, 389.
31 U. S. C. § 725c.

BUREAU OF INDIAN AFFAIRS

Bureau of Indian Affairs.

SALARIES

For the Commissioner of Indian Affairs and other personal services in the District of Columbia, $522,200.

Salaries.

GENERAL EXPENSES

General expenses.

For transportation and incidental expenses of officers and clerks of the Bureau of Indian Affairs when traveling on official duty; for radio, telegraph, and telephone toll messages on business pertaining

Traveling, etc., expenses.
Radio, etc., tolls.

to the Indian Service sent and received by the Bureau of Indian Affairs at Washington, and for other necessary expenses of the Indian Service for which no other appropriation is available, $35,000.

Supplies; purchase, transportation, etc.

For advertising, inspection, storage, and all other expenses incident to the purchase of goods and supplies for the Indian Service and for payment of railroad, pipe-line, and other transportation costs of such goods and supplies, $720,000: *Provided*, That no part of this appropriation shall be used in payment for any services except bill therefor is rendered within one year from the time the service is performed.

Proviso.
Restriction on payments.

Maintenance of law and order on Indian reservations.

For maintaining law and order on Indian reservations, including pay of judges of Indian courts, pay of Indian police, and pay of employees engaged in the suppression of the traffic in intoxicating liquors, marihuana, and deleterious drugs among Indians, and including traveling expenses, supplies, and equipment, $237,290.

Agency, etc., buildings.
Lease, purchase, etc.

For lease, purchase, construction, repair, and improvement of agency buildings, exclusive of hospital buildings, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $190,000: *Provided*, That no part of this appropriation shall be available for the construction of any building, the total cost of which is in excess of $1,500.

Proviso.
Construction costs.

Tribal organizations, expenses.

48 Stat., 986; ante, 378; 49 Stat., 378, 1250, 1967; ante, 432, 465, 498.
25 U. S. C. § 476.
25 U. S. C., Supp. III, §§ 478a, 478b; 48 U. S. C., Supp. III, §§ 358a, 362; 25 U. S. C., Supp. III, § 501.

For expenses of organizing Indian chartered corporations, or other tribal organizations, in accordance with the provisions of the Act of June 18, 1934 (48 Stat. 986), as supplemented and amended by the Acts of June 15, 1935 (49 Stat. 378), May 1, 1936 (49 Stat. 1250), and June 26, 1936 (49 Stat. 1967), including personal services, purchase of equipment and supplies, not to exceed $3,000 for printing and binding, and other necessary expenses, $80,000, of which not to exceed $20,000 may be used for personal services in the District of Columbia: *Provided*, That in the discretion of the Secretary of the Interior, not to exceed $3 per diem in lieu of subsistence may be allowed to Indians actually traveling away from their place of residence when assisting in organization work: *Provided further*, That no part of this appropriation shall be available for expenditure in that part of the State of New Mexico embraced in the Navajo Indian Reservation, and not to exceed $5,000 shall be available for expenditure in said State.

Services in the District.
Provisos.
Traveling allowances.

Expenditures in New Mexico.

Vehicles, Indian Service.
Maintenance, etc.

Vehicles, Indian Service: Not to exceed $470,800 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for the use of employees in the Indian field service, and the transportation of Indian school pupils, and not to exceed $200,000 of applicable appropriations may be used for the purchase and exchange of motor-propelled passenger-carrying vehicles, and such vehicles shall be used only for official service, including the transportation of Indian school pupils.

Transportation of Indian school pupils.
Purchase and exchange.

Replacement of destroyed, etc., property.

Replacement of property destroyed by fire, flood, or storm: That to meet possible emergencies not exceeding $35,000 of the appropriations made by this Act for support of reservation and nonreservation schools, for school and agency buildings, and for conservation of health among Indians shall be available, upon approval of the Secretary of the Interior, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Indian Service above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: *Provided*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Proviso.
Report of diversions to Congress.

Authorization for attending health and educational meetings: Not to exceed $7,000 shall be available from applicable funds for expenses (not membership fees) of employees of the Indian Service when authorized by the Secretary of the Interior to attend meetings of medical, health, educational, agricultural, forestry, engineering, and industrial associations in the interest of work among the Indians.

Attendance at meetings.

INDIAN LANDS

Indian lands.

Purchase of land and water rights, and so forth, Pueblo Indians, New Mexico (tribal funds): For the purchase of additional land and water rights, the development of water for irrigation and domestic purposes, the purchase of equipment for industrial advancement, and for such other purposes, except per capita payments, as may be recommended by the governing officials of the Pojoaque Pueblo and be approved by the Commissioner of Indian Affairs, $56,524.21, payable from trust funds placed to the credit of that pueblo as a result of findings made by the Pueblo Lands Board pursuant to the provisions of the Act of June 7, 1924 (43 Stat. 636); and the funds available under this head for the various pueblos of New Mexico for the fiscal year 1938 are hereby continued available for the same purposes and under the same conditions until expended.

Pueblo Indians, N. Mex.
Land and water rights, etc.
Purchase of, from tribal funds.
Per capita payments excepted.
43 Stat., 636, vol. 4, 454.
Funds continued available.
50 Stat., 571; ante, 522.

Compensation to Pueblo Indians, New Mexico: For the last of three installments for additional compensation to the Pueblo Indians of New Mexico, for loss of land and water rights, and in settlement of the liability of the United States to said Pueblos as declared by the Act of June 7, 1924 (43 Stat. 636), and as authorized by the Act of May 31, 1933 (48 Stat. 109), $253,960.66, which amount shall be deposited in the Treasury of the United States to the credit of the following-named pueblos:

Compensation for loss of land and water rights.
43 Stat., 636, vol. 4, 454; 48 Stat., 109; ante, 337.

Jemez, $628.34; Nambe, $15,813.16; Taos, $28,235.69; Santa Ana, $969.46; Santo Domingo, $1,418,86; Sandia, $4,326.88; San Felipe, $4,984.85; Isleta, $15,917.11; Picuris, $22,191.46; San Ildefonso, $12,352.76; San Juan, $51,287.68; Santa Clara, $60,371.41; Cochiti, $12,608.79; Pojoaque, $22,854.21: *Provided*, That expenditures may be made from the foregoing sums, as authorized by the Act of May 31, 1933, for the purchase of lands and water rights, purchase or construction of reservoirs, irrigation works, or other permanent improvements upon or for the benefit of the lands of said pueblos and for such other purposes, except per capita payments, as may be recommended by the governing officials of the particular pueblos involved, and be approved by the Commissioner of Indian Affairs.

Pueblos designated.
Proviso.
Acquisition of lands, water rights, etc.
48 Stat., 109; ante, 337.

Compensation to non-Indian claimants, Pueblo Indian Lands, New Mexico: The unexpended balances of appropriations heretofore made for compensation to non-Indian claimants, Pueblo Indian Lands, New Mexico, are hereby continued available for this purpose until expended.

Compensation to non-Indian claimants, Pueblo lands, N. Mex.
50 Stat., 572; ante, 523.

Purchase of land for the Navajo Indians, Arizona, reimbursable: The unexpended balance of the appropriation contained in the Deficiency Appropriation Act, fiscal year 1934, for the purchase of land, and improvements thereon, including water rights, for the Navajo Indians in Arizona, as authorized by and in conformity with the provisions of the Act of June 14, 1934 (48 Stat. 961), is hereby continued available for the same purposes until June 30, 1939.

Navajo Indians, Ariz.
Purchase of land, reimbursable.
Reappropriation.
48 Stat., 1033; ante, 384.
48 Stat., 961; ante, 349.

Purchase of land for the Navajo Indians, Arizona (tribal funds): For purchase, in accordance with the provisions of the Act of June 14, 1934 (48 Stat. 961), of lands from the New Mexico and Arizona Land Company within the Navajo Indian Reservation, Arizona, at

Navajo Indians, Ariz.
Purchase of land, from tribal funds.
48 Stat., 960; ante, 348.

$1.67 per acre, $40,000, payable from funds on deposit to the credit of the Navajo Tribe: *Provided*, That no part of this appropriation shall be expended until the New Mexico and Arizona Land Company has completed the exchanges to be made by it under authority contained in the said Act of June 14, 1934: *Provided further*, That title may be accepted subject to a reservation of the oil, gas, and minerals to lands yet to be acquired through purchase or exchange under authority contained in this paragraph or in the Act of June 14, 1934.

Provisos.
Restriction on expenditure.

Mineral, etc., reservation.

Lease of lands and water rights.

Leasing of lands for Navajo Indians (tribal funds): For lease, pending purchase, of land and water rights for the use and benefit of Indians of the Navajo Tribe in Arizona and New Mexico, $20,000, payable from funds on deposit to the credit of the Navajo Tribe.

Acquisition of lands, etc.

48 Stat., 984; ante, 378.

Balance reappropriated.

50 Stat., 573; ante, 524.

Provisos.
Contracts.

For the acquisition of lands, interest in lands, water rights and surface rights to lands, and for expenses incident to such acquisition, in accordance with the provisions of the Act of June 18, 1934 (48 Stat. 985), including personal services, purchase of equipment and supplies, and other necessary expenses, $500,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1938, of which not to exceed $20,000 shall be available for personal services in the District of Columbia: *Provided*, That in addition to the amount herein appropriated the Secretary of the Interior may also incur obligations, and enter into contracts for the acquisition of additional land, not exceeding a total of $250,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for the acquisition of land pursuant to the authorization contained in the Act of June 18, 1934, shall be available for the purpose of discharging the obligation or obligations so created: *Provided further*, That no part of the sum herein appropriated or of this contract authorization shall be used for the acquisition of land within the States of Arizona, Colorado, New Mexico, and Wyoming outside of the boundaries of existing Indian reservations.

Restriction on use of funds.

Restricted Indian land, balance for payment of taxes, etc., continued available.
50 Stat., 573; ante, 524.

The unexpended balance of the appropriation of $25,000 contained in the Interior Department Appropriation Act, fiscal year 1938, for the payment of taxes, including penalties and interest, assessed against individually owned Indian land, title to which is held subject to restrictions against alienation or encumbrance except with the consent or approval of the Secretary of the Interior, when such land was purchased with trust or restricted funds with the understanding that after purchase it would be nontaxable, as authorized by the Act of June 20, 1936 (49 Stat. 1542), is hereby continued available for the same purposes until June 30, 1939.

49 Stat., 1542; ante, 471.
25 U. S. C., Supp. III, § 412a.

Confederated Bands of Utes, Utah.
Purchase of additional lands, etc.
50 Stat., 573; ante, 524.

Purchase of land, Confederated Bands of Utes, Utah (tribal funds): The unexpended balances of the amounts authorized to be expended by the Interior Department Appropriation Act for the fiscal year 1938 for the purchase of additional lands and improvements for the Confederated Bands of Ute Indians in Utah, are hereby continued available for the same purposes until June 30, 1939.

Cheyenne River Reservation, S. Dak.
Purchase of land, etc.

Purchase of land, Cheyenne River Reservation, South Dakota (tribal funds): For the purchase of Indian-owned and privately owned land, and improvements thereon, in the Cheyenne River Reservation, South Dakota, $12,500, payable from funds on deposit to the credit of the Cheyenne River Indians: *Provided*, That title to any land or improvements so purchased shall be taken in the name of the United States in trust for the Cheyenne River Tribe: *Provided further*, That the unexpended balance of the appropriation from tribal funds made for this purpose for the fiscal year 1938 is hereby continued available until June 30, 1939.

Provisos.
Title to land.

Balance continued available.
50 Stat., 573; ante, 524.

Land surveys, Choctaw and Chickasaw Nations, Oklahoma (tribal funds): For the survey of certain lands of the Choctaw and Chickasaw Indians of Oklahoma, $15,000, payable from funds on deposit to the credit of said Indians.

Choctaws and Chickasaws, Okla., land surveys.

INDUSTRIAL ASSISTANCE AND ADVANCEMENT

Industrial assistance and advancement.

Timber preservation, etc.

For the preservation of timber on Indian reservations and allotments other than the Menominee Indian Reservation in Wisconsin, the education of Indians in the proper care of forests, and the general administration of forestry and grazing work, including fire prevention and payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires, or taking or otherwise destroying timber, in contravention of law on Indian lands, $320,000: *Provided*, That this appropriation shall be available for the expenses of administration of Indian forest lands from which timber is sold to the extent only that proceeds from the sales of timber from such lands are insufficient for that purpose.

Proviso.
Restriction on use of funds.

For expenses incidental to the sale of timber, and for the expenses of administration, including fire prevention, of Indian forest lands from which such timber is sold to the extent that the proceeds of such sales are sufficient for that purpose, $120,000, reimbursable to the United States as provided in the Act of February 14, 1920 (25 U. S. C. 413): *Provided*, That this appropriation shall be available for the payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires, or taking or otherwise destroying timber, in contravention of law.

Timber sales, etc., expenses; reimbursable.

41 Stat., 415, vol. 4, 238.
25 U. S. C. § 413.

Proviso.
Rewards for information.

For the suppression or emergency prevention of forest fires on or threatening Indian reservations, $15,000, together with $25,000 from funds held by the United States in trust for the respective tribes of Indians interested: *Provided*, That not to exceed $50,000 of appropriations herein made for timber operations shall be available upon the approval of the Secretary of the Interior, for fire-suppression or emergency prevention purposes: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Suppression, etc., of forest fires.

Provisos.
Additional amount available.

Report of diversions to Congress.

For transfer to the Geological Survey for expenditures to be made in inspecting mines and examining mineral deposits on Indian lands and in supervising mining operations on restricted, tribal, and allotted Indian lands leased under the provisions of the Acts of February 28, 1891 (25 U. S. C. 336, 371, 397), May 27, 1908 (35 Stat. 312), March 3, 1909 (25 U. S. C. 396), and other Acts authorizing the leasing of such lands for mining purposes, $95,000, to be reimbursed under the provisions of the Act of February 14, 1920, as amended (25 U. S. C. 413).

Geological Survey.
Transfers of sums to, for supervising mining operations.

26 Stat., 794, vol. 1, 56; 35 Stat., 312, 444, 783, vol. 3, 351, 356, 390.
25 U. S. C. §§ 336, 371, 396, 397.

Reimbursement.
41 Stat., 415, vol. 4, 238.
25 U. S. C. § 413.

For the purpose of obtaining remunerative employment for Indians, $38,500.

Obtaining employment for Indians.

For the purpose of developing agriculture and stock raising among the Indians, including necessary personnel, traveling and other expenses, and purchase of supplies and equipment, $660,000, of which not to exceed $15,000 may be used to conduct agricultural experiments and demonstrations on Indian school or agency farms and to maintain a supply of suitable plants or seed for issue to Indians, and not to exceed $30,000 may be used for the operation and maintenance of a sheep-breeding station on the Navajo Reservation.

Development of agriculture and stock raising.

Agricultural experiments and demonstrations.

Navajo sheep breeding station.

For the purpose of encouraging industry and self-support among the Indians and to aid them in the culture of fruits, grains, and other crops, $240,000, which sum may be advanced to Indians for the purchase of seeds, animals, machinery, tools, implements, and other equip-

Loans to encourage industry, etc.

ment necessary, and for advances to Indians having irrigable allotments to assist them in the development and cultivation thereof, in the discretion of the Secretary of the Interior, to enable Indians to become self-supporting: *Provided*, That hereafter the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before the expiration of five years, except in the case of loans on irrigable lands for permanent improvement of said lands, in which the period for repayment may run for not exceeding twenty years, in the discretion of the Secretary of the Interior: *Provided further*, That except for the Navajo Indians in Arizona and New Mexico not to exceed $25,000 of the amount herein appropriated shall be expended on any one reservation or for the benefit of any one tribe of Indians: *Provided further*, That hereafter the Secretary of the Interior is authorized, in his discretion and under such rules and regulations as he may prescribe, to make advances to old, disabled, or indigent Indian allottees, for their support, to remain a charge and lien against their land until paid; such advances for the fiscal year 1939 to be made from the appropriation in this paragraph and those for fiscal years thereafter to be made from appropriations specifically available for such purposes: *Provided further*, That not to exceed $15,000 may be advanced to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That not to exceed $75,000 of the amount herein appropriated, together with $50,000 made available for this purpose under this head in the Interior Department Appropriation Act for the fiscal year 1938, and hereby continued available for the same purpose for the fiscal year 1939, may be advanced to the Navajo Tribe of Indians for the purchase, feeding, sale, or other disposition of sheep, goats, and other livestock belonging to the Navajo Indians.

Provisos.
Conditions for repayment.

Loans on irrigable lands.

Limitation; exception.

Advances to old, etc., allottees.

Advances to Indian youths for educational purposes.

Reimbursement.

Purchase, disposition of sheep and other livestock.

50 Stat., 574; ante, 525.

Industrial assistance.
Construction of homes, purchase of seed, equipment, etc.
Advances to old, etc., Indians.

Industrial assistance (tribal funds): For the construction of homes for individual members of the tribes; for advances to them for the purchase of seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support and burial, and Indians having irrigable allotments to assist them in the development and cultivation thereof, to be immediately available, $28,000, payable from tribal funds as follows: Rocky Boy, Montana, $3,000; Truxton Canyon, Arizona, $25,000; and the unexpended balances of funds available under this head in the Interior Department Appropriation Act for the fiscal year 1938, and the Act of June 27, 1932 (47 Stat. 335), are hereby continued available during the fiscal year 1939: *Provided*, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1944, except in the case of loans on irrigable lands for permanent improvement of said lands in which the period for repayment may run for not exceeding twenty years, in the discretion of the Secretary of the Interior, and advances to old, disabled, or indigent Indians for their support and burial, which shall remain a charge and lien against their land until paid: *Provided further*, That advances may be made to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and

50 Stat., 575; ante, 525; 47 Stat. 335; ante, 288.

Provisos.
Conditions for repayment.

Loans on irrigable lands.

Advances to old, etc., Indians.

Advances to Indian youths for educational purposes; reimbursement.

other industrial subjects in colleges, universities, or other institutions and advances so made shall be reimbursed in not to exceed eight years under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That all moneys reimbursed during the fiscal year 1939 shall be credited to the respective appropriations and be available for the purposes of this paragraph: *Provided further*, That funds available under this paragraph may be used for the establishment and operation of tribal enterprises when proposed by Indian tribes and approved by the Secretary of the Interior, and revenues derived therefrom shall be covered into the Treasury to the credit of the respective tribes: *Provided further*, That the unexpended balances of prior appropriations under this head for any tribe, including reimbursements to such appropriations and the appropriations made herein, may be advanced to such tribe, if incorporated, for making loans to members of the tribal corporation under rules and regulations established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C. 470).

Credits and availability.

Establishment of tribal enterprises.

Loans from revolving fund.

48 Stat., 986; ante, 379.
25 U. S. C. § 470.

For an additional amount to be added to the appropriations heretofore made, for the establishment of a revolving fund for the purpose of making and administering loans to Indian chartered corporations in accordance with the Act of June 18, 1934 (48 Stat. 986), and of making and administering loans to individual Indians and to associations or corporate groups of Indians of Oklahoma in accordance with the Act of June 26, 1936 (49 Stat. 1967), $400,000, of which amount not to exceed $20,500 shall be available for personal services in the District of Columbia, and $100,000 shall be available for personal services in the field, for purchase of equipment and supplies, and for other necessary expenses of administering such loans, including not more than $2,500 for printing and binding.

Additional amount, revolving fund for loans.

48 Stat., 986; ante, 379.
Loans to individual Indians, etc.
49 Stat., 1967; ante, 498.
25 U. S. C., Supp. III, § 501.
Services in the District.

For the development, under the direction of the Commissioner of Indian Affairs, of Indian arts and crafts, as authorized by the Act of August 27, 1935 (49 Stat. 891), including personal services, purchase and transportation of equipment and supplies, purchase of periodicals, directories, and books of reference, purchase and operation of motor-propelled passenger-carrying vehicles, telegraph and telephone services, cost of packing, crating, drayage, and transportation of personal effects of employees upon permanent change of station, expenses of exhibits and of attendance at meetings concerned with the development of Indian arts and crafts, traveling expenses, including payment of actual transportation expenses and not to exceed $10 per diem in lieu of subsistence and other expenses of members of the Indian Arts and Crafts Board, serving without other compensation from the United States, while absent from their homes, not to exceed $2,500 for printing and binding, and other necessary expenses, $42,500, of which not to exceed $16,000 shall be available for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be used to pay any salary at a rate exceeding $7,500 per annum.

Indian arts and crafts, development.

49 Stat., 891; ante, 445.
25 U. S. C., Supp. III, § 305.
Vehicles.

Arts and Crafts Board, expenses.

Printing and binding.

Proviso.
Salary restriction.

DEVELOPMENT OF WATER SUPPLY

Water supply.

Developing water supply: For developing and conserving water for domestic and stock purposes on lands of the Navajo and Hopi Indians in Arizona and New Mexico, the Papago Indians in Arizona, and the Pueblo Indians of New Mexico, including the purchase and installation of pumping machinery, and other necessary equipment, and for operation and maintenance thereof, $70,000.

Developing and conserving, in Arizona and New Mexico.

Irrigation and drainage.

IRRIGATION AND DRAINAGE

Construction, maintenance, etc., of designated projects.

For the construction, repair, and maintenance of irrigation systems, and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian reservations and allotments; for operation of irrigation systems or appurtenances thereto when no other funds are applicable or available for the purpose; for drainage and protection of irrigable lands from damage by floods or loss of water rights, upon the Indian irrigation projects named below, in not to exceed the following amounts, respectively:

Miscellaneous projects.
Limitation.

48 Stat., 1227; ante, 389.
31 U. S. C. § 725c.

Miscellaneous projects, $23,000; Arizona: Ak Chin, $4,000; Chiu Chui, $4,000; Ganado, $1,500; together with $1,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; Navajo and Hopi, miscellaneous projects, Arizona and New Mexico, $8,500; San Xavier, $2,000; California: Coachella Valley, $1,000; Morongo, $4,000; Pala and Rincon, $3,500, together with $500, from which expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said Repeal Act; Colorado: Southern Ute, $13,000, together with $2,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the said Repeal Act; Nevada: Pyramid Lake, $3,000; Walker River, $5,000; Western Shoshone, $5,000; New Mexico: Miscellaneous Pueblos, $25,000; Washington: Colville, $3,500, together with $500, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said Repeal Act; Lummi Diking Project, $1,000, together with $2,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said Repeal Act;

Administrative expenses.

For necessary miscellaneous expenses incident to the general administration of Indian irrigation projects, including pay of employees and their traveling and incidental expenses, $60,000;

Total; reimbursable.

In all, for irrigation on Indian reservations, not to exceed $170,000, reimbursable: *Provided*, That the foregoing amounts shall be available interchangeably, in the discretion of the Secretary of the Interior, for the necessary expenditures for damages by floods and other unforeseen exigencies, but the amount so interchanged shall not exceed in the aggregate 10 per centum of all the amounts so appropriated: *Provided further*, That the cost of irrigation projects and of operating and maintaining such projects where reimbursement thereof is required by law shall be apportioned on a per-acre basis against the lands under the respective projects and shall be collected by the Secretary of the Interior as required by such law, and any unpaid charges outstanding against such lands shall constitute a first lien thereon which shall be recited in any patent or instrument issued for such lands.

Provisos.
Amounts interchangeable; limitation.

Apportionment of expenses on per-acre basis.

Unpaid charges a first lien.

San Carlos project, Ariz.
Maintenance, etc.

For operation and maintenance of the San Carlos project for the irrigation of lands in the Gila River Indian Reservation, Arizona, $57,315, reimbursable, together with $137,685 (operation and maintenance collections) and $150,000 (power revenues), of which latter sum not to exceed $25,000 shall be available for major repairs in case of unforeseen emergencies caused by fire, flood, or storm, from which amounts of $137,685 and $150,000, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, $345,000.

Emergencies.

Limitation.
48 Stat., 1227; ante, 389.
31 U. S. C. § 725c.

For continuing subjugation and for cropping operations on the lands of the Pima Indians in Arizona, there shall be available not to exceed $200,000 of the revenues derived from these operations and deposited into the Treasury of the United States to the credit of such Indians, and such revenues are hereby made available for payment of irrigation operation and maintenance charges assessed against tribal or allotted lands of said Pima Indians.

Pima Indians, Ariz.
Subjugation and cropping operations on lands of.

Irrigation operation, etc., charges.

For improvement, operation, and maintenance of the pumping plants and irrigation system on the Colorado River Indian Reservation, Arizona, as provided in the Act of April 4, 1910 (36 Stat. 273), $17,000, reimbursable, together with $23,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Colorado River Reservation, Ariz.
Maintenance, etc., of system.
36 Stat., 273, vol. 3, 432.
Reimbursable.
48 Stat., 1227; ante, 389.
31 U. S. C. § 725c.

Operation and maintenance, pumping plants, San Carlos Reservation, Arizona (tribal funds): For the operation and maintenance of pumping plants for the irrigation of lands on the San Carlos Reservation, in Arizona, $5,000, to be paid from the funds held by the United States in trust for the Indians of such reservation: *Provided*, That the sum so used shall be reimbursed to the tribe by the Indians benefited under such rules and regulations as the Secretary of the Interior may prescribe.

San Carlos Reservation, Ariz.
Operation, etc., of pumping plants.

Proviso.
Reimbursement.

For reclamation and maintenance charges on Indian lands within the Yuma Reservation, California, and on ten acres within each of the eleven Yuma homestead entries in Arizona under the Yuma reclamation project, $21,000, reimbursable.

Yuma Reservation, Calif.-Ariz.
Reclamation, etc., charges.

For improvements, maintenance, and operation of the Fort Hall irrigation system, Idaho, and for the investigation of damage claims in connection therewith, $27,000, together with $25,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Hall system, Idaho.
Maintenance, etc.

Limitation.
48 Stat., 1227; ante, 389.
31 U. S. C. § 725c.

For maintenance and operation, repairs, and purchase of stored waters, irrigation systems, Fort Belknap Reservation, Montana, $14,800, reimbursable, together with $4,200 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Belknap Reservation, Mont.
Maintenance, etc., of system.

Limitation.
48 Stat., 1227; ante, 389.
31 U. S. C. § 725c.

For maintenance and operation of the several units of the Fort Peck project, Montana, including not to exceed four thousand acres under the West Side Canal of the Poplar River Division, $8,000, reimbursable, together with $3,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Peck project, Mont.
Maintenance, etc.

Limitation.

For operation and maintenance of the irrigation systems on the Flathead Reservation, Montana, $10,000, reimbursable, together with $100,000 (operation and maintenance collections) and $50,000 (power revenues), from which amounts of $100,000 and $50,000, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, $160,000.

Flathead Reservation, Mont.
Maintenance, etc.

Limitation.
48 Stat., 1227; ante, 389.
31 U. S. C. § 725c.

For improvement, maintenance, and operation of the irrigation systems on the Crow Reservation, Montana, including maintenance assessments payable to the Two Leggins Water Users' Association and Bozeman Trail Ditch Company, Montana, properly assessable against lands allotted to the Indians and irrigable thereunder, $5,000, reimbursable, together with $45,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Crow Reservation, Mont.
Maintenance, etc.

48 Stat., 1227; ante, 389.

31 U. S. C. § 725c.

Newlands project, Nev.
Payment of charges against Paiute lands.

For payment of annual installment of reclamation charges against Paiute Indian lands within the Newlands reclamation project, Nevada, $5,381; and for payment in advance, as provided by district law, of operation and maintenance assessments, including assessments for the operation of drains to the Truckee-Carson irrigation district, which district, under contract, is operating the Newlands reclamation project, $5,565, to be immediately available; in all, $10,946.

Drains to Truckee-Carson district.

Navajo Reservation, N. Mex.
Operation of Hogback project.

48 Stat., 1227; ante, 389.
31 U. S. C. § 725c.

For operation and maintenance of the Hogback irrigation project on that part of the Navajo Reservation in New Mexico under the jurisdiction of the Northern Navajo Agency, $15,000, reimbursable, together with $5,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fruitlands project, N. Mex.
Maintenance, etc.

48 Stat., 1227; ante, 389.
31 U. S. C. § 725c.

For maintenance and operation of the Fruitlands irrigation project, Navajo Reservation, New Mexico, $14,000, reimbursable, together with $4,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Middle Rio Grande Conservancy District, N. Mex.
Maintenance, etc.

For operation and maintenance assessments on newly reclaimed Indian lands within the Middle Rio Grande Conservancy District, New Mexico, $11,250, or so much thereof as may be necessary, reimbursable.

Final payment to.

For final payment to the Middle Rio Grande Conservancy District, New Mexico, in accordance with the provisions of the Act entitled "An Act authorizing the Secretary of the Interior to execute an agreement with the Middle Rio Grande Conservancy District providing for conservation, irrigation, drainage, and flood control for the Pueblo Indian lands in the Rio Grande Valley, New Mexico, and for other purposes," approved March 13, 1928 (45 Stat. 312), $20,000, or so much thereof as may be necessary, to be immediately available and to be reimbursed as provided in said Act.

45 Stat., 312; ante, 34.
Reimbursement.

Klamath Reservation, Oreg.
Operation of projects on; limitation.

For improvements, maintenance, and operation of miscellaneous irrigation projects on the Klamath Reservation, $1,000, reimbursable, together with $4,000, from which amount expenditures shall not exceed the aggregate receipts from operation and maintenance collections on the Sand Creek and Modoc Point units covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat., 1227; ante, 389.
31 U. S. C. § 725c.

Uncompahgre, etc., Utes in Utah.
Irrigation of allotted lands.

34 Stat., 375, vol. 3, 215.
Reimbursable.

48 Stat., 1227; ante, 389.
31 U. S. C. § 725c.

For continuing operation and maintenance and betterment of the irrigation system to irrigate allotted lands of the Uncompahgre, Uintah, and White River Utes in Utah, authorized under the Act of June 21, 1906 (34 Stat. 375), $20,000, reimbursable, together with $40,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Wapato system, maintenance, etc.
Yakima Reservation, Wash.

For operation and maintenance of the Wapato irrigation and drainage system, and auxiliary units thereof, Yakima Indian Reservation, Washington, $1,000, reimbursable, together with $160,000 (collections from the water users on the Wapato-Satus, Toppenish-Simcoe, and Ahtanum units), from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat., 1227; ante, 389.
31 U. S. C. § 725c.

Reimbursement to reclamation fund for reservoir maintenance, etc.

For reimbursement to the reclamation fund the proportionate expense of operation and maintenance of the reservoirs for furnishing stored water to lands in the Yakima Indian Reservation, Washington, in accordance with the provisions of section 22 of the Act of August 1, 1914 (38 Stat. 604), $13,000.

38 Stat., 604, vol. 4, 33.

For operation and maintenance of irrigation systems within the ceded and diminished portions of the Wind River Reservation, Wyoming, including the Indians' pro rata share of the cost of operation and maintenance of the Riverton-Le Clair irrigation district and the Big Bend drainage district on the ceded reservation, $30,000, reimbursable, together with $20,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Wind River Reservation, Wyo.
Maintenance, etc.
Riverton-Le Clair district.
Big Bend district.
48 Stat., 1227; ante, 389.
31 U. S. C. § 725c.

For the construction, repair, and rehabilitation of irrigation systems on Indian reservations; for the purchase or rental of equipment, tools, and appliances; for the acquisition of rights-of-way, and payment of damages in connection with such irrigation systems; for the development of domestic and stock water and water for subsistence gardens; for the purchase of water rights, ditches, and lands needed for such projects; and for drainage and protection of irrigable lands from damage by floods or loss of water rights, as follows:

Irrigation and drainage.
Construction, maintenance, etc.

Arizona: Colorado River, as authorized by and in accordance with section 2 of the Rivers and Harbors Act, approved August 30, 1935 (49 Stat. 1039, 1040), $700,000, reimbursable, and in addition thereto the Secretary of the Interior may also incur obligations and enter into a contract or contracts not exceeding the total amount of $800,000 and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for continuing construction of this project shall be available for the purpose of discharging the obligation or obligations so created; Fort Apache, $10,000, reimbursable; Hopi, $25,000, reimbursable; Navajo, Arizona and New Mexico, $100,000, reimbursable; Salt River, $200,000, reimbursable; San Xavier, $30,000, reimbursable; San Carlos, $25,000, reimbursable;

Arizona.
49 Stat., 1040; ante, 448.
Contracts.

San Carlos project (Pima Reservation), Arizona: The Secretary of the Interior is hereby authorized to enter into a contract or contracts prior to July 1, 1939, for the development of additional power, San Carlos project (Pima Reservation), Arizona, at a total cost of not to exceed $300,000, reimbursable;

San Carlos, additional power.

California: Mission, $25,000, reimbursable; Sacramento, $25,000, reimbursable;

California.

Colorado: Southern Ute, $65,000, reimbursable;

Colorado.

Montana: Flathead, $500,000, reimbursable; Crow, $200,000, reimbursable; Fort Belknap, $12,000, reimbursable; Blackfeet, $83,000, reimbursable; Fort Peck, $100,000, reimbursable;

Montana.

Nevada: Western Shoshone, $50,000, reimbursable; Walker River, $40,000, reimbursable; Pyramid Lake, $25,000, reimbursable;

Nevada.

New Mexico: Mescalero, $15,000, reimbursable; Pueblo, $75,000, reimbursable;

New Mexico.

Oregon: Klamath, $11,000, reimbursable; Warm Springs, $15,000, reimbursable;

Oregon.

Utah: Uintah, $50,000, reimbursable;

Utah.

Washington: Wapato, $100,000, reimbursable;

Washington.

Wyoming: Wind River, $20,000, reimbursable;

Wyoming.

Miscellaneous garden tracts, $60,000, reimbursable;

Miscellaneous garden tracts.

For administrative expenses, including personal services in the District of Columbia and elsewhere, and not to exceed $3,000 for printing and binding, $75,000, reimbursable;

Administrative expenses.
Printing and binding.

In all, $2,636,000, to be immediately available, which amount, together with the unexpended balances of funds made available under this head in the Interior Department Appropriation Act, fiscal year 1938, shall remain available until June 30, 1939: *Provided*, That

Availability.
50 Stat., 580; ante, 530.
Proviso.

Amounts interchangeable.

the foregoing amounts may be used interchangeably in the discretion of the Secretary of the Interior, but not more than 10 per centum of any specific amount shall be transferred to any other amount, and no appropriation shall be increased by more than 15 per centum.

Education.

EDUCATION

Support of Indian schools, etc.

For the support of Indian schools not otherwise provided for, and for other Indian educational purposes, including educational facilities authorized by treaty provisions, care of Indian children of school age attending public and private schools, and tuition and other assistance for Indian pupils attending public schools, $5,957,165: *Provided*,

Provisos.
Deaf and dumb or blind, etc.

That not to exceed $20,000 of this appropriation may be used for the support and education of deaf and dumb or blind, physically handicapped, or mentally deficient Indian children: *Provided further*, That

Subsistence, boarding schools.

$60,000 of this appropriation shall be available for subsistence of pupils in reservation and nonreservation boarding schools during

Vocational, etc., courses, tuition.

summer months: *Provided further*, That not more than $15,000 of the amount herein appropriated may be expended for the tuition (which may be paid in advance) of Indian pupils attending vocational or higher educational institutions, under such rules and regu-

Formal contracts not required.
R. S. § 3744.
41 U. S. C. § 16.

lations as the Secretary of the Interior may prescribe: *Provided further*, That formal contracts shall not be required, for compliance with section 3744 of the Revised Statutes (41 U. S. C. 16), for payment (which may be made from the date of admission) of tuition and for care of Indian pupils attending public and private schools, higher educational institutions, or schools for the deaf and dumb,

Printing and binding, limitation.

blind, physically handicapped, or mentally deficient: *Provided further*, That not to exceed $10,000 of this appropriation may be used for printing and binding in authorized Indian-school printing plants:

Travel outside continental United States, limitation.

Provided further, That no part of any appropriation for the Bureau of Indian Affairs shall be available for expenses of travel for the study of educational systems or practices outside the continental limits of the United States and the Territory of Alaska.

Support of schools from tribal funds.

Support of Indian schools from tribal funds: For the support of Indian schools, and for other educational purposes, including care of Indian children of school age attending public and private schools, tuition and other assistance for Indian pupils attending public schools, and support and education of deaf and dumb or blind, physically handicapped, or mentally deficient Indian children, there may be

44 Stat., 560, vol. 4, 548.
25 U. S. C. § 155.
Chippewas in Minnesota.

expended from Indian tribal funds and from school revenues arising under the Act of May 17, 1926 (25 U. S. C. 155), not more than $312,995, including not to exceed $63,750 for payment of tuition for Chippewa Indian children enrolled in public schools and care of children of school age attending private schools in the State of Minnesota, payable from the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota arising under section 7 of

25 Stat., 645, vol. 1, 305.
Proviso.
Formal contracts not required.
R. S. § 3744.
41 U. S. C. § 16.

the Act of January 14, 1889 (25 Stat. 645): *Provided*, That formal contracts shall not be required, for compliance with section 3744 of the Revised Statutes (41 U. S. C. 16), for payment (which may be made from the date of admission) of tuition and for care of Indian pupils attending public schools, or schools for the deaf and dumb, blind, physically handicapped, or mentally deficient.

Saint Louis Mission Boarding School, Okla.
Osage pupils.

Education, Osage Nation, Oklahoma (tribal funds): For the education of unallotted Osage Indian children in the Saint Louis Mission Boarding School, Oklahoma, $2,000, payable from funds held in trust by the United States for the Osage Tribe.

For reimbursable loans to Indians for the payment of tuition and other expenses in recognized vocational and trade schools, including colleges and universities offering recognized vocational, trade, and professional courses, in accordance with the provisions of the Act of June 18, 1934 (48 Stat. 986), and for apprentice training in manufacturing and other commercial establishments, $100,000, and the unexpended balance of the appropriation available for the fiscal year 1938 is continued available until June 30, 1939: *Provided*, That not more than $50,000 of the amount available for the fiscal year 1939 shall be available for loans to Indian students pursuing liberal-arts courses in high schools and colleges: *Provided further*, That advances made under this authorization shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe.

Vocational and trade schools, educational loans; reimbursable.

48 Stat., 986, ante, 379.
25 U. S. C. § 471.
Balance continued available.
50 Stat., 581; ante, 581.
Provisos.
Liberal-arts courses.
Advances, reimbursable.

For lease, purchase, repair, and improvement of buildings at Indian schools not otherwise provided for, including the purchase of necessary lands for school purposes and the installation, repair, and improvement of heating, lighting, power, sewer, and water systems in connection therewith, and including not to exceed $15,000 for the purchase of materials for the use of Indian pupils in the construction of buildings (not to exceed $1,500 for any one building) at Indian schools not otherwise provided for, $380,000.

School buildings.
Lease, improvement, etc.

For support and education of Indian pupils at the following nonreservation boarding schools in not to exceed the following amounts, respectively:

Nonreservation boarding schools.
Support, etc., of designated.

Phoenix, Arizona: For four hundred and fifty pupils, including not to exceed $2,500 for printing and issuing school paper, $154,750; for pay of superintendent or other officer in charge, drayage, and general repairs and improvements, $25,000; in all, $179,750;

Phoenix, Ariz.

Sherman Institute, Riverside, California: For six hundred and fifty pupils, including not to exceed $1,000 for printing and issuing school paper, $221,000; for pay of superintendent, drayage, and general repairs and improvements, $23,500; in all, $244,500;

Sherman Institute, Riverside, Calif.

Haskell Institute, Lawrence, Kansas: For six hundred and twenty-five pupils, including not to exceed $2,500 for printing and issuing school paper, $212,500; for pay of superintendent, drayage, and general repairs and improvements, including necessary drainage work, $24,000; in all, $236,500;

Haskell Institute, Lawrence, Kans.

Pipestone, Minnesota: For three hundred pupils, $97,750; for pay of superintendent, drayage, and general repairs and improvements, $16,000; in all, $113,750;

Pipestone, Minn.

Carson City, Nevada: For five hundred and twenty-five pupils, $168,500; for pay of superintendent, drayage, and general repairs and improvements, $18,000; in all, $186,500;

Carson City, Nev.

Albuquerque, New Mexico: For six hundred pupils, $204,000; for pay of superintendent or other officer in charge, drayage, and general repairs and improvements, $24,000; in all, $228,000;

Albuquerque, N. Mex.

Santa Fe, New Mexico: For four hundred pupils, $142,000; for drayage and general repairs and improvements, $13,000; in all, $155,000;

Santa Fe, N. Mex.

Wahpeton, North Dakota: For three hundred pupils, $97,250; for pay of superintendent, drayage, and general repairs and improvements, $13,000; in all, $110,250;

Wahpeton, N. Dak.

Chilocco, Oklahoma: For six hundred and fifty pupils, including not to exceed $2,000 for printing and issuing school paper, $221,000; for pay of superintendent, drayage, and general repairs and improvements, $25,000; for purchase of printing equipment, $1,200; in all, $247,200;

Chilocco, Okla.

Sequoyah Orphan Training School, Okla.

Sequoyah Orphan Training School, near Tahlequah, Oklahoma: For three hundred and fifty orphan Indian children of the State of Oklahoma belonging to the restricted class, $114,250; for pay of superintendent, drayage, and general repairs and improvements, $14,000; in all, $128,250;

Carter Seminary, Okla.

Carter Seminary, Oklahoma: For one hundred and sixty-five pupils, $57,525; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $64,525.

Euchee, Okla.

Euchee, Oklahoma: For one hundred and fifteen pupils, $41,025; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $48,025;

Eufaula, Okla.

Eufaula, Oklahoma: For one hundred and forty pupils, $48,650; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $55,650;

Jones Academy, Okla.

Jones Academy, Oklahoma: For one hundred and seventy-five pupils, $61,125; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $68,125;

Wheelock Academy, Okla.

Wheelock Academy, Oklahoma: For one hundred and thirty pupils, $45,050; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $52,050;

Chemawa, Salem, Oreg.

Chemawa, Salem, Oregon: For four hundred and fifty pupils, including not to exceed $1,000 for printing and issuing school paper, $152,250; for local vocational-training program directed from the school, $10,000; for pay of superintendent, drayage, and general repairs and improvements, $20,000; in all, $182,250;

Flandreau, S. Dak.

Flandreau, South Dakota: For four hundred and fifty pupils, $159,750; for pay of superintendent, drayage, and general repairs and improvements, $18,000; in all, $177,750;

Pierre, S. Dak.

Pierre, South Dakota: For three hundred pupils, $97,750; for pay of superintendent, drayage, and general repairs and improvements, $18,000; in all, $115,750;

Total, nonreservation boarding schools.

In all, for above-named nonreservation boarding schools, not to exceed $2,593,825: *Provided*, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures for similar purposes in the various boarding schools named, but not more than 10 per centum shall be added to the amount appropriated for any one of said boarding schools or for any particular item within any boarding school. Any such interchanges shall be reported to Congress in the annual Budget.

Proviso.
Sums interchangeable.

Report to Congress.

Pupils attending public or Indian day schools in designated nations, etc.

For tuition and for care and other assistance for Indian pupils attending public schools and special Indian day schools in the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Nations and the Quapaw Agency in Oklahoma, $397,200, to be expended in the discretion of the Secretary of the Interior and under rules and regulations to be prescribed by him: *Provided*, That not to exceed $21,500 may be expended for the payment of salaries of public-school teachers, employed by the State, county, or district in special Indian day schools in full-blood Indian communities, where there are not adequate white day schools available for their attendance.

Proviso.
Employment of public-school teachers where facilities inadequate.

Alaska natives.
Support, education, relief of destitution, etc.
Miscellaneous expenses.

Natives in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for support and education and relief of destitution of the Eskimos, Aleuts, Indians, and other natives of Alaska, including necessary traveling expenses of pupils to and from boarding schools in Alaska; purchase, repair, and rental of school buildings, including purchase of necessary lands; textbooks and industrial apparatus; pay and necessary traveling expenses of superintendents, teachers, physicians, and other employees; repair, equipment, maintenance, and operation of vessels; and all other necessary

miscellaneous expenses which are not included under the above special heads, $790,000, to be immediately available and to remain available until June 30, 1940: *Provided*, That a report shall be made to Congress covering expenditures from the amount herein provided for relief of destitution: *Provided further*, That hereafter when appropriations for any fiscal year for the benefit of natives of Alaska under the jurisdiction of the Secretary of the Interior have not been made prior to the 1st day of March preceding the beginning of such fiscal year, the Secretary of the Interior may authorize such officer or officers as may be designated by him to incur obligations for the purchase of materials, supplies, and equipment not to exceed 75 per centum of the amount available for such purposes for the fiscal year then current, payments of these obligations to be made from the appropriations for the new fiscal year when they become available.

Proviso. Report to Congress.

Authority to incur obligations.

CONSERVATION OF HEALTH

Conservation of health.

For conservation of health among Indians, including equipment, materials, and supplies; repairs and improvements to buildings and plants; compensation and traveling expenses of officers and employees and renting of quarters for them when necessary; transportation of patients and attendants to and from hospitals and sanatoria; returning to their former homes and interring the remains of deceased patients; and not exceeding $25,000 for clinical surveys and general medical research in connection with tuberculosis, trachoma, and venereal and other disease conditions among Indians, including cooperation with State and other organizations engaged in similar work and payment of traveling expenses and per diem of physicians, nurses, and other persons whose services are donated by such organizations, and including printing and binding circulars and pamphlets for use in preventing and suppressing trachoma and other contagious and infectious diseases, $5,024,000, including not to exceed $3,735,320 for the following-named hospitals and sanatoria:

Designated expenses.

Suppressing trachoma, etc.

Allotments to specified hospitals.

Arizona: Indian Oasis Hospital, $27,260; Kayenta Sanatorium, $52,000; Fort Defiance Sanatorium and Southern Navajo General Hospital, $268,780; Phoenix Sanatorium, $107,560; Pima Hospital, $27,600; Truxton Canyon Hospital, $14,000; Western Navajo Hospital, $35,700; Chin Lee Hospital, $15,000; Fort Apache Hospital, $29,700; Hopi Hospital, $40,000; Leupp Hospital, $27,800; San Carlos Hospital, $32,300; Tohatchi Hospital, $17,200; Colorado River Hospital, $20,000; San Xavier Sanatorium, $44,200; Phoenix Hospital, $42,000; Winslow Sanatorium, $54,960;

Arizona.

California: Hoopa Valley Hospital, $25,000; Soboba Hospital, $26,000; Fort Bidwell Hospital, $25,000; Fort Yuma Hospital, $22,000;

California.

Colorado: Ute Mountain Hospital, $15,000; Edward T. Taylor Hospital, $25,000;

Colorado.

Idaho: Fort Lapwai Sanatorium, $90,000; Fort Hall Hospitals, $14,000;

Idaho.

Iowa: Sac and Fox Sanatorium, $79,000;

Iowa.

Minnesota: Pipestone Hospital, $22,500; Cass Lake Hospital, $30,000; Fond du Lac Hospital, $27,000; Red Lake Hospital, $22,500; White Earth Hospital, $22,000;

Minnesota.

Mississippi: Choctaw Hospital, $26,000;

Mississippi.

Montana: Blackfeet Hospital, $45,000; Fort Peck Hospital, $26,400; Crow Hospital, $34,000; Fort Belknap Hospital, $30,000; Tongue River Hospital, $28,000;

Montana.

Nebraska: Winnebago Hospital, $47,000;

Nebraska.

Nevada. Nevada: Carson Hospital, $27,000; Walker River Hospital, $23,000; Western Shoshone Hospital, $20,000;

New Mexico. New Mexico: Albuquerque Sanatorium, $104,660; Jicarilla Hospital and Sanatorium, $66,000; Mescalero Hospital, $23,000; Eastern Navajo Hospital, $45,000; Northern Navajo Hospital, $45,000; Taos Hospital, $20,000; Zuni Hospital, $35,000; Albuquerque Hospital, $53,100; Charles H. Burke Hospital, $26,000; Santa Fe Hospital, $44,000; Toadlena Hospital, $12,000;

North Carolina. North Carolina: Cherokee Hospital, $24,000;

North Dakota. North Dakota: Turtle Mountain Hospital, $41,600; Fort Berthold Hospital, $18,000; Fort Totten Hospital, $23,000; Standing Rock Hospital, $38,000; Fort Totten Preventorium, $20,000;

Oklahoma. Oklahoma: Cheyenne and Arapahoe Hospital, $36,000; Choctaw and Chickasaw Sanatorium and General Hospital, $195,000; Shawnee Sanatorium, $100,000; Claremore Hospital, $76,300; Clinton Hospital, $22,000; Pawnee and Ponca Hospital, $36,000; Kiowa Hospital, $130,000; William W. Hastings Hospital, $90,000, to be immediately available;

Oregon. Oregon: Warm Springs Hospital, $20,000;

South Dakota. South Dakota: Crow Creek Hospital, $22,000; Pine Ridge Hospitals, $52,000; Rosebud Hospital, $45,000; Yankton Hospital, $23,000; Cheyenne River Hospital, $35,000; Sioux Sanatorium, $130,000, together with the unexpended balance of the amount appropriated for this institution for the fiscal year 1938; Sisseton Hospital, $35,000;

Utah. Utah: Uintah Hospital, $30,000;

Washington. Washington: Yakima Sanatorium, $40,000; Tacoma Sanatorium, $225,000; Tulalip Hospital, $12,600; Colville Hospital, $35,000;

Wisconsin. Wisconsin: Hayward Hospital, $40,600; Tomah Hospital, $31,000;

Wyoming. Wyoming: Wind River Hospital, $28,000:

Provisos. Sums interchangeable. *Provided*, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures in the various hospitals named, but not more than 10 per centum shall be added to the amount appropriated for any one of said hospitals or for any particular item within any hospital, and any interchange of appropriations hereunder shall be reported to Congress in the annual Budget: *Provided further*, That nonreservation boarding schools receiving specific appropriations shall contribute on a per diem basis for the hospitalization of pupils in hospitals located at such schools and supported from this appropriation: *Provided further*, That in the discretion of the Secretary of the Interior and under such rules and regulations as may be prescribed by him, fees may be collected from Indians for medical, hospital, and dental service and any fees so collected shall be covered into the Treasury of the United States.

Report to Congress.

Hospitalizatoin of pupils; basis of contribution.

Fees, professional services.

Medical relief in Alaska. Medical relief in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction through the Bureau of Indian Affairs, with the advice and cooperation of the Public Health Service, to provide for the medical and sanitary relief of the Eskimos, Aleuts, Indians, and other natives of Alaska; purchase, repair, rental, and equipment of hospital buildings; not to exceed $1,000 for purchase of land; books and surgical apparatus; pay and necessary traveling expenses of physicians, nurses, and other employees, and all other necessary miscellaneous expenses which are not included under the above special heads, $408,000, to be available immediately and to remain available until June 30, 1940.

Hospital buildings, etc.

Availability.

Navajo Reservation. Revolving fund for dental work. Revolving fund for dental work, Navajo Reservation (tribal funds): For a revolving fund for dental work for the Navajo Indians in Arizona and New Mexico, including personal services, traveling

expenses, and the purchase of equipment and supplies, and all other necessary expenses, $5,000, payable from Navajo tribal funds: *Provided*, That fees collected for such dental work shall be credited to this appropriation and shall be available for the purposes of this paragraph.

Proviso.
Credit of fees.

GENERAL SUPPORT AND ADMINISTRATION

General support and administration.

For general support of Indians and administration of Indian property, including pay of employees authorized by continuing or permanent treaty provisions, $2,675,000: *Provided*, That in the discretion of the Secretary of the Interior, and under such rules and regulations as may be prescribed by him, fees may be collected from individual Indians for services performed for them, and any fees so collected shall be covered into the Treasury of the United States.

Proviso.
Fees for services.

Reindeer service, Alaska.

Reindeer service: For supervision of reindeer in Alaska and instruction in the care and management thereof, including salaries and travel expenses of employees, purchase, rental, erection, and repair of range cabins, purchase and maintenance of communication and other equipment, and all other necessary miscellaneous expenses, including $3,000 for the purchase and distribution of reindeer, $35,500, to be immediately available.

Reindeer industry, Alaska, survey and appraisal.

50 Stat., 900; ante, 557.

Supervisory committee created, personnel.

Vacancies.

Personal services.

Expenditures.

Reindeer industry, Alaska: For a survey and appraisal of the property and reindeer authorized to be acquired for the natives of Alaska under the provisions of the Act approved September 1, 1937 (50 Stat. 900), to be made under the direction and supervision of a committee of three, which is hereby created, to be appointed by the Chairmen of the Committees on Appropriations of the Senate and House of Representatives acting jointly, $25,000, to be immediately available. Such Chairmen shall fix the pay of the members of the committee and shall designate one to act as chairman. Vacancies occurring in the membership thereof shall be filled in the same manner as the original appointments. The committee is authorized to employ personnel in the District of Columbia and elsewhere without regard to civil service laws and regulations and to fix the compensation thereof without respect to the Classification Act of 1923, as amended, and to make such expenditures as may be necessary for equipment, travel, supplies, materials, printing, binding, rent, the purchase, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles and the hire thereof, and for such other purposes in connection herewith as they may determine essential. In connection with the purposes of this paragraph, such Chairmen may call for the furnishing of assistance from any Federal agency operating in Alaska and such agencies are hereby authorized and directed to respond cooperatively to any such request. Members of the committee and employees thereof shall be allowed per diem in lieu of actual expenses of subsistence when traveling on official business at rates not in excess of those allowable under the provisions of the Standardized Government Travel Regulations and the Subsistence Expense Act of 1926, as amended, and shall be regarded as in a travel status while stationed in Alaska.

Assistance of Federal agencies.

Per diem, etc., allowances.

44 Stat., 688.
5 U. S. C. § 821.

Support of Indians, etc., under specified agencies, from tribal funds.

Arizona.

California.

Iowa.

For general support of Indians and administration of Indian property under the jurisdiction of the following agencies, to be paid from the funds held by the United States in trust for the respective tribes, in not to exceed the following sums, respectively:

Arizona: Fort Apache, $55,000, including the construction of quarters and sanitary facilities near McNary; San Carlos, $45,700; Truxton Canyon, $6,500; in all, $107,200;

California: Mission, $15,000;

Iowa: Sac and Fox, $2,000;

Montana.

Montana: Flathead, $24,000;

Nevada.
Use of unexpended balances.
50 Stat., 586; ante, 527.

Nevada: Carson, the unexpended balances of the appropriations under this head for the Walker River, Summit Lake, and Pyramid Lake Indians, for the fiscal year 1938 are hereby continued available for the same purposes until June 30, 1939; Western Shoshone, $3,000;

North Carolina.

North Carolina: Cherokee, $18,000;

Oregon.
Tribal council, traveling, etc., expenses.

Oregon: Klamath, $104,260, of which $5,000 shall be available only for traveling and other expenses, including not to exceed $5 per diem in lieu of subsistence, of members of the tribal council, or of representatives of the tribe engaged on business of the tribe at the seat of government, and $10,000 shall be available for the repair and maintenance of buildings and utilities;

Building repairs, etc.

Utah.

Utah: Uintah and Ouray, $8,100, of which amount not to exceed $4,000 shall be available for the payment of an agent employed under a contract, approved by the Secretary of the Interior: *Provided*, That $1,000 of the foregoing amount shall be available to pay obligations incurred during the fiscal year 1937;

Proviso.
Payment of incurred obligations.

Washington.

Washington: Puyallup, $1,000 for upkeep of the Puyallup Indian cemetery; Taholah (Neah Bay), $5,000 ($4,000 for monthly allowances for care of old and indigent Indians, and $1,000 for burial expenses); Yakima, $250; Tulalip, $1,000; in all, $7,250;

Wisconsin.

Wisconsin: Keshena, $90,000, including $20,000 for monthly allowances, under such rules and regulations as the Secretary of the Interior may prescribe, to old and indigent members of the Menominee Tribe who reside with relatives or friends, $6,000 for fees and expenses of attorneys employed under contract, approved by the Secretary of the Interior, and $12,500 for the construction of a jail;

Attorneys' fees, etc.

In all, not to exceed $378,810.

Chippewas in Minnesota.
Use of tribal funds for aid in school attendance.

Relief of Chippewa Indians in Minnesota (tribal funds): Not to exceed $40,000 of the principal sum on deposit to the credit of the Chippewa Indians of Minnesota, arising under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota", approved January 14, 1889 (25 Stat. 645), may be expended, in the discretion of the Secretary of the Interior, in aiding indigent Chippewa Indians including boarding-home care of pupils attending public or high schools.

25 Stat., 645, vol. 1, 305.

Relief of needy Indians.

Relief of needy Indians: For the relief of Indians in need of assistance, including cash grants; the purchase of subsistence supplies, clothing, and household goods; medical, burial, housing, transportation, and all other necessary expenses, $100,000, payable from funds on deposit to the credit of the particular tribe concerned: *Provided*, That expenditures hereunder may be made without regard to section 3709, United States Revised Statutes, or to the Act of May 27, 1930 (46 Stat. 391), as amended.

Proviso.
Expenditures.
R. S, § 3709.
41 U. S. C. § 5.
46 Stat., 391.
18 U. S. C. § 744a.

Attorneys.

For compensation and expenses of an attorney or attorneys employed by the Chippewa Tribe under a contract, approved by the Secretary of the Interior on April 15, 1937, $8,000, payable from the principal sum on deposit to the credit of the Chippewa Indians of Minnesota, arising under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota", approved January 14, 1889 (25 Stat. 645).

25 Stat., 645, vol. 1, 305.

Five Civilized Tribes, Okla.
Expenses of tribal officers, from tribal funds.

Expenses of tribal officers, Five Civilized Tribes, Oklahoma (tribal funds): For the current fiscal year money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, salaries and contingent expenses of the governor of the Chickasaw Nation and

chief of the Choctaw Nation, one mining trustee for the Choctaw and Chickasaw Nations, at salaries at the rate heretofore paid for the said governor and said chief and $3,000 for the said mining trustee, chief of the Creek Nation at $600 and one attorney each for the Choctaw and Chickasaw Tribes employed under contract approved by the President under existing law: *Provided*, That the expenses of the above-named officials shall be determined and limited by the Commissioner of Indian Affairs at not to exceed $2,500 each.

Proviso. Limitation on expenses.

Support of Osage Agency and pay of tribal officers, Oklahoma (tribal funds): For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage Reservation, Oklahoma, including pay of necessary employees, the tribal attorney and his stenographer, one special attorney in tax and other matters, and pay of tribal officers; payment of damages to individual allottees; repairs to buildings, rent of quarters for employees, traveling expenses, printing, telegraphing, and telephoning, and purchase, repair, and operation of automobiles, $189,680, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma: *Provided*, That not more than $1,800 may be used for the employment of a curator for the Osage Museum, which employee shall be an Osage Indian and shall be appointed without regard to civil-service laws and regulations upon the recommendation of the Osage tribal council: *Provided further*, That this appropriation shall be available, for traveling and other expenses, including not to exceed $5 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, of members of the tribal council and other members of the tribe, when engaged on tribal business, including visits to the District of Columbia when duly authorized or approved in advance by the Commissioner of Indian Affairs.

Osage Agency, Okla. Agency, etc., expenses.

Provisos. Employment of curator for Museum.

Travel, etc.

For the acquisition of additional lands, and improvements thereon, adjacent to the Council House of the Choctaw Indians, Tuskahoma, Oklahoma, and for the further improvement of the Council House, and for the construction of improvements on newly acquired land, $50,000, payable from funds on deposit to the credit of the Choctaw Indians of Oklahoma.

Tuskahoma Council House, Okla., additional lands, etc.

Expenses of tribal councils or committees thereof (tribal funds): For traveling and other expenses of members of tribal councils, business committees, or other tribal organizations, when engaged on business of the tribes, including supplies and equipment, not to exceed $5 per diem in lieu of subsistence, and not to exceed five cents per mile for use of personally owned automobiles, and including not more than $25,000 for visits to Washington, District of Columbia, when duly authorized or approved in advance by the Commissioner of Indian Affairs, $50,000, payable from funds on deposit to the credit of the particular tribe interested: *Provided*, That, except for the Navajo Tribe, not more than $5,000 shall be expended from the funds of any one tribe or band of Indians for the purposes herein specified: *Provided further*, That no part of this appropriation shall be available for expenses of members of tribal councils, business committees, or other tribal organizations, when in Washington, for more than a thirty-day period, unless the Secretary of the Interior shall in writing approve a longer period: *Provided further*, That hereafter tribal funds shall be available for appropriation by Congress for traveling and other expenses, including supplies and equipment, of members of tribal councils, business committees, or other tribal organizations, when engaged on business of the tribes.

Tribal councils, traveling, etc., expenses.

Supplies and equipment.

Visits to Washington, D. C.

Provisos. Limitation on expenditures.

Allowances for expenses when in Washington.

Availability of funds for traveling, etc., expenses.

Choctaws and Chickasaws, attorneys.

Expenses for attorneys of record representing the Choctaw and Chickasaw Nations in cases pending before the Court of Claims, $5,000, one-half of said sum to be paid out of funds to the credit of said Choctaw Nation and one-half to be paid out of funds to the credit of the Chickasaw Nation: *Provided*, That all payments from said appropriation shall be within the discretion of the Secretary of the Interior.

Proviso.
Payments within Secretary's discretion.

Roads and bridges.

ROADS AND BRIDGES

Gallup-Shiprock Highway, N. Mex., maintenance, etc.
Proviso.
Indian labor.

For maintenance and repair of that portion of the Gallup-Shiprock Highway within the Navajo Reservation, New Mexico, including the purchase of machinery, $20,000, reimbursable: *Provided*, That other than for supervision and engineering only Indian labor shall be employed for such maintenance and repair work.

Reservation roads, construction, etc.
45 Stat., 750; ante, 57; 49 Stat., 1521; ante, 470.
25 U. S. C. § 318a; Supp. III, § 318b.
Provisos.
Services in the District.
Structures for housing materials, etc.

For construction, improvement, repair, and maintenance of Indian reservation roads under the provisions of the Acts of May 26, 1928 (25 U. S. C. 318a), and June 16, 1936 (49 Stat. 1521), $1,000,000, to be immediately available and to remain available until expended: *Provided*, That not to exceed $11,200 of the foregoing amount may be expended for personal services in the District of Columbia: *Provided further*, That not to exceed $100,000 of this appropriation shall be available for purchase, lease, construction or repair of structures for housing road materials, supplies and equipment; and for quarters for road crews but the cost of any structure erected hereunder shall not exceed $7,500.

Construction and repair.

CONSTRUCTION AND REPAIR

School, agency, hospital, etc., buildings.

For the construction, repair, or rehabilitation of school, agency, hospital, or other buildings and utilities, including the purchase of land and the acquisition of easements or rights-of-way when necessary and including the purchase of furniture, furnishings, and equipment, as follows:

Alaska.

Alaska: Day schools and quarters, including remodeling of existing buildings, $90,000; hospitals and quarters, $160,000;

Blackfeet, Mont.

Blackfeet, Montana: Improvement of water supply, $20,000;

Carson, Nev.

Carson, Nevada: Addition to office, $15,000;

Cheyenne and Arapahoe, Okla.

Cheyenne and Arapahoe, Oklahoma: Office building, $25,000;

Cheyenne River, S. Dak.

Cheyenne River, South Dakota: Day school facilities, $25,000; hospital repairs, $14,500; improvements to water system, $7,500;

Chilocco, Okla.

Chilocco, Oklahoma: Central heating plant, and rehabilitation of distribution lines, $187,000;

Choctaw, Miss.

Choctaw, Mississippi: General repairs and construction of one cottage, $7,000;

Colorado River, Ariz.

Colorado River, Arizona: Improvement of water and sewer systems (Yuma), $30,000;

Colville, Wash.

Colville, Washington: Reroofing buildings and general repairs, $10,500; two dwellings, $15,000;

Consolidated Chippewa, Minn.

Consolidated Chippewa, Minnesota: Nurses' home (Cass Lake), $20,000;

Consolidated Ute, Colo.

Consolidated Ute, Colorado: Miscellaneous small structures, $12,500;

Five Civilized Tribes, Okla.

Five Civilized Tribes, Oklahoma: Quarters for school employees, $15,000; infirmary and quarters, Jones Academy, $15,000;

Flandreau, S. Dak.

Flandreau, South Dakota: Improvement of electrical distribution system, $10,000;

Flathead, Mont.

Flathead, Montana: Improvement of water system, $19,000;

Fort Apache, Ariz.

Fort Apache, Arizona: For improving dining room and kitchen facilities, Theodore Roosevelt School, $20,000;

Fort Belknap, Mont.

Fort Belknap, Montana: Elevator, hospital, $9,000;

Fort Berthold, North Dakota: Jail, $10,000; quarters for employees, $25,000; Fort Berthold, N. Dak.

Fort Hall, Idaho: Improvements to sewer and water systems, $25,000; Fort Hall, Idaho.

Fort Totten, North Dakota: Improvements to heating and lighting systems, $24,000; Fort Totten, N. Dak.

Jicarilla, New Mexico: Improvements to water system, $20,000; dormitory facilities, $75,000; dairy barn, $15,000; Jicarilla, N. Mex.

Kiowa, Oklahoma: Riverside, dormitory facilities, $75,000; Fort Sill, one physicians' cottage, $7,500; dormitory facilities (school), $75,000; Kiowa, Okla.

Mescalero, New Mexico: Office building, $25,000; Mescalero, N. Mex.

Navajo, Arizona: Fort Defiance, for an additional amount for central heating and power plant, $42,000; jail (Fort Defiance), $15,000; improvements to heating system (Tuba City), $32,000; improvements to water system (Crown Point), $15,000; Navajo, Ariz.

Phoenix School, Arizona: Improvements to utilities, $30,000; Phoenix School, Ariz.

Pine Ridge, South Dakota: Improvement of sewer and water systems, $6,500; quarters, $12,000; Pine Ridge, S. Dak.

Pueblos of New Mexico: Improvements to heating plant (Santa Fe), $10,000; Pueblos of New Mexico.

Red Lake, Minnesota: Remodeling office, $8,500; Red Lake, Minn.

Rosebud, South Dakota: Residence, physician (Yankton), $8,500; nurses' home (Yankton), $20,000; improvements to power system, $15,000; and not to exceed $5,000 of the appropriation of $20,000 for the improvement of the sewer system, contained in the Interior Department Appropriation Act, fiscal year 1938, is hereby made available for improvements to the water system; Rosebud, S. Dak. 50 Stat., 590; ante, 557.

Sacramento, California: Improvements to sewer system (Fort Bidwell Hospital), $5,000; Sacramento, Calif.

Sequoyah School, Oklahoma: Improvements to power lines, $5,000; Sequoyah School, Okla.

Shawnee Sanatorium, Oklahoma: General repairs and improvements, $35,000; Shawnee Sanatorium, Okla.

Shoshone, Wyoming: Remodeling office, $9,500; improvements to sewer systems, $10,000; Shoshone, Wyo.

Tacoma Sanatorium, Washington: Improvement of heating system, $25,000; Tacoma Sanatorium, Wash.

Tongue River, Montana: Improvements to sewer system, $7,000; Tongue River, Mont.

Truxton Canyon, Arizona: Day school facilities, $35,000; Truxton Canyon, Ariz.

Turtle Mountain, North Dakota: Day school facilities, $62,500; quarters for hospital attendants, $15,000; improvements to sewer system, $4,500; Turtle Mountain, N. Dak.

Uintah and Ouray, Utah: Improvements to water and power systems, $38,000; Uintah and Ouray, Utah.

Umatilla, Oregon: General repairs, $10,000; Umatilla, Oreg.

Warm Springs, Oregon: Nurses' home, $20,000; improvements to power system, $8,000; Warm Springs, Oreg.

Western Shoshone, Nevada: One dwelling, $8,500; nurses' home, $20,000; improvements to water system, $12,500; Western Shoshone, Nev.

Winnebago, Nebraska: Warehouse, $9,000; Winnebago, Nebr.

Yakima, Washington: Enlarging sanatorium, $8,500; Yakima, Wash.

For administrative expenses, including personal services in the District of Columbia and elsewhere; not to exceed $2,500 for printing and binding; purchase of periodicals, directories, and books of reference; purchase and operation of motor-propelled passenger-carrying vehicles; traveling expenses of employees; rent of office and storage space; telegraph and telephone tolls; and all other necessary expenses not specifically authorized herein, $204,000; in all, $1,870,000, to be immediately available and to remain available until June 30, 1940: *Provided*, Administrative expenses.

Proviso. Transfers of amounts; limitation.

That not to exceed 5 per centum of the amount of any specific authorization may be transferred, in the discretion of the Commissioner of Indian Affairs, to the amount of any other specific authorization, but no limitation shall be increased more than 10 per centum by any such transfer.

Annuities and per capita payments.

ANNUITIES AND PER CAPITA PAYMENTS

Senecas, N. Y.
4 Stat., 442.

For fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831, 4 Stat. 442), $6,000.

Six Nations, N. Y.
7 Stat., 46, vol. 2, 36.

For fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), $4,500.

Choctaws, Okla.
7 Stat., 99, 212, 213, 236, vol. 2, 58, 87, 192, 211, 706; 11 Stat., 614, vol. 2, 709.

For fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty of June 22, 1855), $3,000; for permanent annuity for support for light horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), $600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $320; in all, $10,520.

Pawnees, Okla.
11 Stat., 729, vol. 2, 764; 27 Stat., 644, vol. 1, 496.

For fulfilling treaties with Pawnees, Oklahoma: For permanent annuity (article 2, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), $30,000.

Indians of Sioux reservations.
25 Stat., 895, vol. 1, 334.

For payment of Sioux benefits to Indians of the Sioux reservations, as authorized by the Act of March 2, 1889 (25 Stat. 895), as amended, $160,000.

Interest on trust funds.

For payment of interest on moneys held in trust for the several Indian tribes, as authorized by various Acts of Congress, $525,000.

Western Cherokees.
Funds made available for payment of claims.
28 Stat., 451, vol. 1, 526; 45 Stat., 1164; ante, 77.

The unpaid balance of $262.18 of the fund appropriated by the Act of August 23, 1894 (28 Stat. 451), to pay the judgment of the Court of Claims in favor of the Western Cherokees, and turned into the Treasury of the United States pursuant to the Act of February 12, 1929 (45 Stat. 1164), is hereby appropriated and restored on the books of the Treasury to the credit of the Western Cherokees and shall be available for disbursement for their benefit by the Secretary of the Interior.

Central warehouses, etc.
Availability of funds for purchase, distribution, etc., of supplies from.

Appropriations herein made for the support of Indians and administration of Indian property, the support of schools, including nonreservation boarding schools and for conservation of health among Indians shall be available for the purchase of supplies, materials, and repair parts, for storage in and distribution from central warehouses, garages, and shops, and for the maintenance and operation of such warehouses, garages, and shops, and said appropriations shall be reimbursed for services rendered or supplies furnished by such warehouses, garages, or shops to any activity of the Indian Service.

Traveling expenses, new appointees, from Seattle to Alaska.

The appropriations available for expenditure for the benefit of the natives of Alaska may be used for the payment of traveling expenses of new appointees from Seattle, Washington, to their posts of duty in Alaska, and of traveling expenses, packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station within Alaska, under regulations to be prescribed by the Secretary of the Interior.

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GEOLOGICAL SURVEY

Geological Survey.

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GENERAL EXPENSES

General expenses.

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Mineral leasing: For the enforcement of the provisions of the Acts of October 20, 1914 (48 U. S. C. 435), October 2, 1917 (30 U. S. C. 141), February 25, 1920 (30 U. S. C. 181), as amended, and March 4, 1921 (48 U. S. C. 444), and other Acts relating to the mining and recovery of minerals on Indian and public lands and naval petroleum reserves; and for every other expense incident thereto, including supplies, equipment, expenses of travel and subsistence, the construction, maintenance, and repair of necessary camp buildings and appurtenances thereto, $315,000, of which amount not to exceed $65,000 may be expended for personal services in the District of Columbia;

Mineral leasing.

38 Stat., 742; 41 Stat., 437, 1363.
48 U. S. C. §§ 435, 444; 30 U. S. C. §§ 141, 181.

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NATIONAL PARK SERVICE

National Park Service.

* * * * * * *

Glacier National Park, Montana: For administration, protection, and maintenance, including necessary repairs to the roads from Glacier Park Station through the Blackfeet Indian Reservation to the various points in the boundary line of the Glacier National Park and the international boundary, including not exceeding $2,475 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, and including not exceeding $10,000 for the purchase of land, $234,920.

Glacier, Mont.

* * * * * * *

Roads and Trails, National Park Service: For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks, monuments, and other areas administered by the National Park Service, including the Boulder Dam Recreational Area, and other areas authorized to be established as national parks and monuments, and national park and monument approach roads authorized by the Act of January 31, 1931 (16 U. S. C. 8a and 8b), as amended, including the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary, $2,991,120, to be immediately available and to remain available until expended: *Provided*, That not to exceed $50,000 of the amount herein appropriated may be expended for personal services in the District of Columbia during the fiscal year 1939.

Roads and trails, construction, etc.

46 Stat., 1053; ante, 190.
16 U. S. C. §§ 8a, 8b.

Availability.

Proviso.
Services in the District.

* * * * * * *

SEC. 2. Appropriations herein made for field work under the Office of the Secretary, the General Land Office, the Bureau of Indian Affairs, the Bureau of Reclamation, the Geological Survey, the Bureau of Mines, and the National Park Service shall be available for the hire, with or without personal services, of work animals and animal-drawn and motor-propelled vehicles and equipment.

Field work appropriations available for hire of work animals, etc.

* * * * * * *

Approved, May 9, 1938.

May 11, 1938.
[S. 2689.]
52 Stat., 347.

CHAP. 198.—An Act To regulate the leasing of certain Indian lands for mining purposes

Indian lands.
Leasing of unallotted lands for mining purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter unallotted lands within any Indian reservation or lands owned by any tribe, group, or band of Indians under Federal jurisdiction, except those hereinafter specifically excepted from the provisions of this Act, may, with the approval of the Secretary of the Interior, be leased for mining purposes, by authority of the tribal council or other authorized spokesmen for such Indians, for terms not to exceed ten years and as long thereafter as minerals are produced in paying quantities.

Exception.

Terms of lease.

Public sales of leases; terms and conditions.

SEC. 2. That leases for oil- and/or gas-mining purposes covering such unallotted lands shall be offered for sale to the highest responsible qualified bidder, at public auction or on sealed bids, after notice and advertisement, upon such terms and subject to such conditions as the Secretary of the Interior may prescribe. Such advertisement shall reserve to the Secretary of the Interior the right to reject all bids whenever in his judgment the interest of the Indians will be served by so doing, and if no satisfactory bid is received, or the accepted bidder fails to complete the lease, or the Secretary of the Interior shall determine that it is unwise in the interest of the Indians to accept the highest bid, said Secretary may readvertise such lease for sale, or with the consent of the tribal council or other governing tribal authorities, a lease may be made by private negotiations: *Provided*, That the foregoing provisions shall in no manner restrict the right of tribes organized and incorporated under sections 16 and 17 of the Act of June 18, 1934 (48 Stat. 984), to lease lands for mining purposes as therein provided and in accordance with the provisions of any constitution and charter adopted by any Indian tribe pursuant to the Act of June 18, 1934.

Rights reserved.

Readvertisement for sale.

Private negotiations.

Proviso.
Designated rights of Indians not restricted.

48 Stat., 987, 988; ante, 380, 381.
25 U. S. C. §§ 476, 477.

Corporate surety bonds to be furnished by lessees.

SEC. 3. That hereafter lessees of restricted Indian lands, tribal or allotted, for mining purposes, including oil and gas, shall furnish corporate surety bonds, in amounts satisfactory to the Secretary of the Interior, guaranteeing compliance with the terms of their leases: *Provided*, That personal surety bonds may be accepted where the sureties deposit as collateral with the said Secretary of the Interior any public-debt obligations of the United States guaranteed as to principal and interest by the United States equal to the full amount of such bonds, or other collateral satisfactory to the Secretary of the Interior, or show ownership to unencumbered real estate of a value equal to twice the amount of the bonds.

Proviso.
Acceptance of personal surety bonds.

Operations; rules and regulations.

SEC. 4. That all operations under any oil, gas, or other mineral lease issued pursuant to the terms of this or any other Act affecting restricted Indian lands shall be subject to the rules and regulations promulgated by the Secretary of the Interior. In the discretion of the said Secretary, any lease for oil or gas issued under the provisions of this Act shall be made subject to the terms of any reasonable cooperative unit or other plan approved or prescribed by said Secretary prior or subsequent to the issuance of any such lease which involves the development or production of oil or gas from land covered by such lease.

Cooperative unit, etc., plans.

Delegation of authority to approve leases.

SEC. 5. That the Secretary of the Interior may, in his discretion, authorize superintendents or other officials in the Indian Service to approve leases for oil, gas, or other mining purposes covering any restricted Indian lands, tribal or allotted.

Specified sections not to apply to lands designated.

SEC. 6. Sections 1, 2, 3, and 4 of this Act shall not apply to the Papago Indian Reservation in Arizona, the Crow Reservation in Mon-

tana, the ceded lands of the Shoshone Reservation in Wyoming, the Osage Reservation in Oklahoma, nor to the coal and asphalt lands of the Choctaw and Chickasaw Tribes in Oklahoma.

Inconsistent provisions repealed.

SEC. 7. All Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved, May 11, 1938.

CHAP. 259.—An Act Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1939, and for other purposes

May 23, 1938.
[H. R. 8887.]
52 Stat., 410.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1939, namely:

Independent Offices Appropriation Act, 1939.

* * * * * * *

SMITHSONIAN INSTITUTION

Smithsonian Institution.

For expenses of the general administrative office; for the system of international exchanges between the United States and foreign countries; for continuing ethnological researches among the American Indians and the natives of Hawaii and the excavation and preservation of archeologic remains; for maintenance of the Astrophysical Observatory, including assistants and making necessary observations in high altitudes; for cases, furniture, fixtures and appliances required for the exhibition and safekeeping of collections; and for administration of the National Collection of Fine Arts; including personal services, purchase of books of reference and periodicals, traveling expenses, uniforms for guards, supplies and equipment, preparation of manuscripts, drawings, and illustrations, supplying of heating, lighting, electrical, telegraphic, and telephone service, repairs and alterations of buildings, shops, sheds and approaches, and other necessary expenses, $343,785.

Administrative expenses.

Ethnological researches.

Astrophysical Observatory.

National Collection of Fine Arts.

* * * * * * *

Approved, May 23, 1938.

CHAP. 304.—An Act To authorize the withdrawal and reservation of small tracts of the public domain in Alaska for schools, hospitals, and other purposes

May 31, 1938.
[H. R. 9358.]
52 Stat., 593.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to withdraw and permanently reserve small tracts of not to exceed six hundred and forty acres each of the public domain in Alaska for schools, hospitals, and such other purposes as may be necessary in administering the affairs of the Indians, Eskimos, and Aleuts of Alaska: *Provided*, That such withdrawals shall be subject to any valid existing rights.

Alaska.
Withdrawal of lands for schools, hospitals, etc., authorized.

Proviso.

Valid existing rights.

Approved, May 31, 1938.

CHAP. 310.—An Act to authorize payments in lieu of allotments to certain Indians of the Klamath Indian Reservation in the State of Oregon, and to regulate inheritance of restricted property within the Klamath Reservation

June 1, 1938.
[H. R. 5974.]
52 Stat., 605.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That as used in this Act the term "Klamath Tribe" includes the members of the Klamath and Modoc Tribes and the Yahooskin Band of Snakes and

Klamath Indians, Oreg.
"Klamath Tribe" construed.

all other Indians having rights on the Klamath Indian Reservation in the State of Oregon.

Payment to each enrolled member who has not received allotment of land.

SEC. 2. Each enrolled member of the Klamath Tribe living on the date of the enactment of this Act who has not received an allotment of land shall be paid the sum of $1,500 from unobligated Klamath tribal funds on deposit in the Treasury of the United States, under such rules and regulations as the Secretary of the Interior shall prescribe, in installments of not to exceed $300 per annum: *Provided*, That no member of the Klamath Tribe who shall not be enrolled within one year from the date of the enactment of this Act shall receive a payment in lieu of allotment. No member of the Klamath Tribe born after the date of the enactment of this Act shall be entitled to receive any allotment of land or money payment in lieu thereof.

Annual installments.
Proviso.
Enrollment requirements.
Members born hereafter.

Deposit of payments to credit of individual Indian money accounts.
Authorized expenditures.

SEC. 3. The payments herein authorized shall be deposited to the credit of the individual Indian money accounts of such Indians subject to expenditure by such Indians, under such rules and regulations as the Secretary of the Interior may prescribe for (1) industrial and agricultural assistance, and the construction and improvement of homes, including the purchase of land and interests in land, building material, farming equipment, industrial equipment, trucks, livestock, feed, food, seed, tools, machinery, implements, household goods, bedding, clothing, and any other equipment or supplies necessary to enable the Indians to fit themselves for or to engage in the farming, livestock industry, or such other industrial or agricultural pursuits or avocations as will enable them to become self-supporting; (2) the educational advancement of such Indians; (3) financial assistance in cases of illness, death, or other emergency; (4) the repayment of reimbursable debts previously contracted; or (5) security for or the repayment of loans made to such Indians from any Klamath revolving loan fund now existent or which shall hereafter be created.

Disposition of balance in event of death.

SEC. 4. In the event of the death of any such Indian entitled to receive a payment in lieu of allotment after the date of the enactment of this Act, any unexpended balance of said $1,500 still due the decedent shall first be applied to the repayment of any loans received by such Indian from the United States or from the Klamath Tribal funds, and the balance thereafter shall be distributed as personal property.

Inheritance restriction.

SEC. 5. Hereafter only enrolled members of the Klamath Tribe of not less than one-sixteenth degree Indian blood of the Klamath Tribe shall inherit or take by devise any restricted or trust property within the Klamath Reservation: *Provided*, That the surviving spouse shall be entitled to the use of one-half part during his or her natural life of all the land included in any such property whereof the decedent was seized of an estate of inheritance at any time during coverture.

Proviso.
Life interest of surviving spouse.

Disposition of restricted or trust property upon death without heirs, etc.

SEC. 6. If any enrolled member of the Klamath Tribe dies without lawful heirs or devises,[1] all interest which such member has in any restricted or trust property within the Klamath Reservation shall revert to and become part of the common tribal property.

Approved, June 1, 1938.

June 8, 1938.
[H. R. 10140.]
52 Stat., 633.

CHAP. 328.—An Act To amend the Federal Aid Act, approved July 11, 1916, as amended and supplemented, and for other purposes

Federal Aid Highway Act of 1938.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the pur-

[1] So in original.

pose of carrying out the provisions of the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes", approved July 11, 1916 (39 Stat. 355), and all Acts amendatory thereof and supplementary thereto, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the following sums, to be expended according to the provisions of such Act as amended and supplemented: The sum of $100,000,000 for the fiscal year ending June 30, 1940, and the sum of $115,000,000 for the fiscal year ending June 30, 1941.

39 Stat. 355.
23 U. S. C. §§ 1-25; Supp. III, ch. 1.

Appropriations authorized for fiscal years 1940 and 1941.

(a) All sums herein or hereafter authorized and apportioned to the States shall be available for expenditure for one year after the close of the fiscal year for which said sums, respectively, are authorized, and any sum remaining unexpended at the end of the period during which it is available for expenditure shall be reapportioned among the States as provided in section 21 of the Federal Highway Act (42 Stat. 217).

Availability of sums for expenditure.

Reapportionment of unexpended sums.

42 Stat. 217.
23 U. S. C. § 21.

(b) Beginning with the fiscal year ending June 30, 1940, the District of Columbia shall be entitled to share in all sums herein or hereafter authorized and apportioned to the States, upon the same terms and conditions as any of the several States, and the District of Columbia shall be included in the calculations to determine the basis of apportionment of such funds: *Provided*, That the system of roads on which Federal-aid apportionments to the District of Columbia shall be expended may be determined and agreed upon by the highway department of the said District and the Secretary of Agriculture without regard to the limitations in section 6 of the Federal Highway Act (42 Stat. 213) respecting the selection and designation of such system of roads; and, when the system first determined and agreed upon shall have been completed, additions thereto may be made in like manner as funds become available for the construction of such additions.

Inclusion of District of Columbia in apportionment beginning with fiscal year 1940.

Proviso.
Determination of system of roads.

42 Stat. 213.
23 U. S. C. § 6.
Additions.

(c) Hereafter the construction of highways by the States with the aid of Federal funds may include such roadside and landscape development, including such sanitary and other facilities as may be deemed reasonably necessary to provide for the suitable accommodation of the public, all within the highway right-of-way and adjacent publicly owned or controlled recreational areas of limited size and with provision for convenient and safe access thereto by pedestrian and vehicular traffic, as may be approved by the Secretary of Agriculture.

Roadside and landscape development.

(d) If within the fiscal years 1938 and 1939 the Secretary of Agriculture shall find with respect to any State (1) that the proceeds of all special taxes on motor-vehicle transportation, as referred to in section 12 of the Act of June 18, 1934 (48 Stat. 995), as amended by this Act, are applied to highway purposes as defined in said section; (2) that at least 90 per centum of such proceeds are applied to the administrative and operating expenses of the State highway department, the maintenance of the State and Federal-aid highway systems, and the payment of interest on, and the amortization of, bond obligations of the State for the payment of which such revenues have heretofore been pledged; and (3) that the portion of the proceeds of all such special taxes then available for construction, together with funds available to the State from any other sources for highway purposes, will be insufficient to match all, or any part, of the regular and secondary Federal-aid road funds apportioned to such State for such fiscal years in accordance with the provisions of the Federal Highway Act (42 Stat. 212), as amended and supplemented, then such portion of such apportionment as the Secretary of Agriculture

Use of Federal funds without matching State funds in certain cases.

48 Stat. 995; ante, 383.
23 U. S. C. § 55.

42 Stat. 212.
23 U. S. C. §§ 1-25; Supp. III, ch. 1.

shall find the State is unable to match shall be made available for expenditure in such State in accordance with said Federal Highway Act without being matched by the State.

Term "highway" to include certain bridges.

(e) The term "highway" as defined in the Federal Highway Act (42 Stat. 212), as amended and supplemented, shall be deemed to include that portion of any interstate or international bridge and the approaches thereto, the cost of which is assumed by the State highway department, including such facilities as may be required by the United States Customs and Immigration Services in connection with the operation of such bridge.

Secondary or feeder roads.
Sums authorized for Federal aid.
49 Stat. 1521; ante, 470.

SEC. 2. For the purpose of continuing the provisions of section 7 of the Act of June 16, 1936 (49 Stat. 1521), there is hereby authorized to be appropriated the sum of $15,000,000 for the fiscal year ending June 30, 1940, and the sum of $15,000,000 for the fiscal year ending June 30, 1941; said sums to be expended on secondary or feeder roads, including farm-to-market roads, rural-free-delivery mail roads, and public-school bus routes.

Elimination of railroad grade crossing hazards.

SEC. 3. For the elimination of hazards to life at railroad grade crossings, including the separation or protection of grades at crossings, the reconstruction of existing railroad-grade-crossing structures, and the relocation of highways to eliminate grade crossings, there is hereby authorized to be appropriated, to be apportioned on or before the 1st day of January of each year preceding the fiscal year for which it is authorized among the several States in accordance with the provisions of the Federal Highway Act (42 Stat. 212), as amended and supplemented, except that such apportionment shall be one-half on population as shown by the latest decennial census, one-fourth on the mileage of the Federal-aid highway system as determined by the Secretary of Agriculture, and one-fourth on the railroad mileage as determined by the Interstate Commerce Commission, and to be expended in accordance with said Federal Highway Act, as amended and supplemented, except that no part of such funds apportioned to any State need be matched by the State: The sum of $20,000,000 for the fiscal year ending June 30, 1940, and the sum of $30,000,000 for the fiscal year ending June 30, 1941.

Apportionment.
42 Stat. 212.
Basis.
Matching not required.
Amounts authorized.

Damages by floods and other catastrophes.
Amount authorized as an emergency relief fund.

SEC. 4. Not to exceed $8,000,000 of any money herein or hereafter appropriated for expenditure in accordance with the provisions of the Federal Highway Act (42 Stat. 212) shall be available for expenditure by the Secretary of Agriculture, in accordance with the provisions of said Federal Highway Act, as an emergency relief fund, after receipt of an application therefor from the highway department of any State, in the repair or reconstruction of highways and bridges on the system of Federal-aid highways, which he finds, after investigation, have been damaged or destroyed by floods, hurricanes, earthquakes, or landslides, and there is hereby authorized to be appropriated any sum or sums necessary to reimburse the funds so expended from time to time under the authority of this section.

Forest highways, roads and trails in national forests.
42 Stat. 218.
23 U. S. C. § 23.

SEC. 5. For the purpose of carrying out the provisions of section 23 of the Federal Highway Act (42 Stat. 218), there is hereby authorized to be appropriated for forest highways, roads, and trails the following sums, to be available until expended in accordance with the provisions of said section 23: The sum of $10,000,000 for the fiscal year ending June 30, 1940, and the sum of $13,000,000 for the fiscal year ending June 30, 1941: *Provided*, That the apportionment for forest highways in Alaska shall be $400,000 for each of the fiscal years, and that such additional amount as otherwise would have been apportioned to Alaska for each of said fiscal years shall be apportioned by the Secretary of Agriculture among those States, including Puerto

Provisos.
Reduction in apportionment for Alaska; apportionment of difference.

Rico, whose forest highway apportionment for such fiscal year otherwise would be less than 1 per centum of the entire apportionment for forest highways for that fiscal year: *Provided further*, That the Secretary of Agriculture may make apportionments among those States, including Puerto Rico, whose forest highway apportionments for such fiscal year otherwise would be less than 1 per centum of the entire apportionment for forest highways for that fiscal year without regard to the provisions of said section 23 relating to apportionments, but in no case shall the Secretary of Agriculture make apportionment to any State under this provision in excess of 20 per centum of the total of funds affected hereby.

Apportionment without regard to existing limitation.

42 Stat. 218.

Maximum.

SEC. 6. For the purpose of carrying out the provisions of section 3 of the Federal Highway Act (42 Stat. 212), as amended by the Act of June 24, 1930 (46 Stat. 805), there is hereby authorized to be appropriated for the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations the sum of $1,000,000 for the fiscal year ending June 30, 1940, and the sum of $2,000,000 for the fiscal year ending June 30, 1941, to remain available until expended.

Roads through public lands, etc.
42 Stat. 212; 46 Stat. 805.
23 U. S. C. § 3.
Sums authorized for survey, construction, and maintenance, other than forest reservations.

SEC. 7. For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks, monuments, and other areas administered by the National Park Service, including areas authorized to be established as national parks and monuments, and national park and monument approach roads authorized by the Act of January 31, 1931 (46 Stat. 1053), as amended, there is hereby authorized to be appropriated the sum of $4,000,000 for the fiscal year ending June 30, 1940, and the sum of $5,000,000 for the fiscal year ending June 30, 1941.

Roads, bridges, etc., in national parks, etc.
Amounts authorized.

46 Stat. 1053.
16 U. S. C. §§ 8a-8c.

SEC. 8. For the construction and maintenance of parkways, to give access to national parks and national monuments, or to become connecting sections of a national parkway plan, over lands to which title has been transferred to the United States by the States or by private individuals, there is hereby authorized to be appropriated the sum of $6,000,000 for the fiscal year ending June 30, 1940, and the sum of $8,000,000 for the fiscal year ending June 30, 1941: *Provided*, That hereafter the location of such parkways upon public lands, national forests, or other Federal reservations shall be determined by agreement between the department having jurisdiction over such lands and the National Park Service.

Construction of parkways to give access to national parks and national monuments, etc.

Amounts authorized.

Proviso.
Determination of location.

SEC. 9. For construction and improvement of Indian reservation roads under the provisions of the Act approved May 26, 1928 (45 Stat. 750), there is hereby authorized to be appropriated the sum of $2,500,000 for the fiscal year ending June 30, 1940, and the sum of $3,000,000 for the fiscal year ending June 30, 1941.

Indian reservation roads.
45 Stat., 750; ante, 57.
25 U. S. C. § 318a.
Amounts authorized.

SEC. 10. With the approval of the Secretary of Agriculture, not to exceed 1½ per centum of the amount apportioned for any year to any State under sections 1, 2, and 3 of this Act may be used for surveys, plans, engineering, and economic investigations of projects for future construction in such State, either on the Federal-aid highway system and extensions thereof or on secondary or feeder roads, or grade-crossing eliminations.

Surveys, etc.

SEC. 11. Any sums heretofore or hereafter withheld from the Federal-aid road funds apportioned to any State as a penalty for diversion of road-user taxes under the provisions of section 12 of the Act approved June 18, 1934 (48 Stat. 995), are hereby authorized to be made available for reapportionment in the same manner as any other unexpended balance at the end of the period during which it other-

Diversion of road-user taxes.
48 Stat. 995, Ante, 383.
23 U. S. C. § 55.
Reapportionment of sums withheld as penalties.

42 Stat. 217.
23 U. S. C. § 21.

wise would be available for expenditure, in accordance with the provisions of section 21 of the Federal Highway Act (42 Stat. 217).

Approval of methods of bidding, plans, etc.

SEC. 12. Hereafter the Secretary of Agriculture shall approve only such methods of bidding and such plans and specifications of highway construction for the type or types proposed as will be effective in securing competition and conducive to safety, durability, and economy of maintenance.

Superhighway development, investigation of feasibility, etc.

SEC. 13. The Chief of the Bureau of Public Roads is hereby directed to investigate and make a report of his findings and recommend to the Congress not later than February 1, 1939, with respect to the feasibility of building, and cost of, superhighways not exceeding three in number, running in a general direction from the eastern to the western portion of the United States, and not exceeding three in number, running in a general direction from the northern to the southern portion of the United States, including the feasibility of a toll system on such roads.

Short title.

SEC. 14. This Act may be cited as the "Federal Aid Highway Act of 1938".

Approved, June 8, 1938.

June 10, 1938.
[H. J. Res. 667.]
52 Stat. 636.

CHAP. 330.—Joint Resolution to authorize an appropriation to aid in defraying the expenses of the observance of the seventy-fifth anniversary of the Battles of Chickamauga, Georgia, Lookout Mountain, Tennessee, and Missionary Ridge, Tennessee; and commemorate the one-hundredth anniversary of the removal from Tennessee of the Cherokee Indians, at Chattanooga, Tennessee, and at Chickamauga, Georgia, from September 18 to 24, 1938, inclusive; and for other purposes

Battles of Chickamauga, Lookout Mountain, and Missionary Ridge, etc.
Preamble.

Whereas September 18 to 24, 1938, inclusive, marks the seventy-fifth anniversary of the crucial Battles of Chickamauga, Lookout Mountain, and Missionary Ridge, in the War between the States, and the one-hundredth anniversary of peace between the Cherokee Indians and the pioneers of Tennessee, Georgia, and Alabama; and

Whereas sixteen thousand sons of twenty-eight of the sovereign States of the Nation gave their lives upon the battlefields; and

Whereas the consequence of their supreme sacrifice was the preservation of a Union of States that has grown greater and stronger with the passing of the years; and

Whereas these sons of twenty-eight States who gave their all that this Nation might remain forever one people lie buried in beautiful Chickamauga-Chattanooga National Cemetery; and

Whereas these heroes who gave their lives to the end that their sons and daughters might have the blessings of liberty and freedom that only a united Nation could preserve and sustain have descendants living today in every State of the Union; and

Whereas the Governors of the twenty-eight States whose sons lie buried in Chickamauga-Chattanooga National Cemetery have expressed a desire to give to the people of these respective States an opportunity to make a pilgrimage to this national shrine under appropriate auspices; and

Whereas the peoples of Georgia, Alabama, and Tennessee by action of the Governors of those States have expressed a willingness and a desire to cooperate with the National Government in giving to the people of the several States an opportunity to make this pilgrimage on the seventy-fifth anniversary of the Battles of Chickamauga, Lookout Mountain, and Missionary Ridge; and

Whereas it is fitting that a Nation that has grown great in the

strength of a unity preserved and bequeathed to it by those who sacrificed their all should pause to pay homage to its heroic dead; and

Whereas it is fitting that the Nation by appropriate ceremonies should commemorate the one-hundredth anniversary of peace between its pioneers and the Indians of the Cherokee race: Therefore be it

Centenary of peace with the Cherokee Indians.

Resolved by the Senate and House of Representatives of the United States of America in Congress Assembled, That the President of the United States is hereby authorized to appoint a commission for the commemoration of the seventy-fifth anniversary of the Battles of Chickamauga, Lookout Mountain, Chattanooga, and Missionary Ridge (hereafter called the commission).

Appointment of commission authorized.

SEC. 2. The commission shall be composed of three members, all of whom shall be residents of Chattanooga, Tennessee, and who shall serve without compensation. It shall be the duty of the commission to arrange for, supervise, and carry out appropriate observance of the said anniversary. The commission shall elect a chairman and a treasurer from among its members, and is authorized to adopt such rules and regulations for the conduct of its business as it may deem proper.

Composition, residence requirement.

Election of chairman and treasurer, adoption of rules for conduct of business.

SEC. 3. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $35,000, or so much thereof as may be necessary, for use by the commission in defraying expenses necessary for and incident to said observance. Any sums appropriated pursuant to the provisions of this Act shall be paid over to the treasurer of the commission by the Treasury of the United States for use by the commission as herein provided. All expenditures made by the commission shall be upon vouchers submitted by the treasurer of the commission and approved by its chairman. On or before the 1st day of January 1939 the commission shall make an accounting of all its expenditures, and a report of its activities to Congress.

Appropriation authorized for observance expenses.
52 Stat., 1116; Post, 635.

Administrative provisions.

Report to Congress.

Approved, June 10, 1938.

CHAP. 386.—An Act To provide funds for cooperation with School District Numbered 2, Mason County, State of Washington, in the construction of a public-school building to be available to both white and Indian children

June 15, 1938.
[S. 2368.]
52 Stat., 685.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $25,000 for the purpose of cooperating with School District Numbered 2, Mason County, State of Washington, for the construction and equipment of a public-school building at Lower Skokomish, State of Washington: *Provided*, That said school shall be conducted for both white and Indian children without discrimination, and that the cost of education of white children shall be defrayed by the State and local public-school authorities, in accordance with such agreement or agreements as may be made between the Secretary of the Interior and State or local officials, and any and all sums of money obtained by reason of such agreement or agreements shall be available for reexpenditure for support and maintenance of said school.

Mason County, Wash.
Appropriation authorized for public-school construction.

Proviso.
White and Indian pupils.
Payment of cost of education of white children.

Approved, June 15, 1938.

June 15, 1938.
[S. 3849.]
52 Stat., 688.

CHAP. 390.—An Act Authorizing the Secretary of the Treasury to transfer on the books of the Treasury Department to the credit of the Chippewa Indians of Minnesota the proceeds of a certain judgment erroneously deposited in the Treasury of the United States as public money

Chippewa Indians of Minnesota.
Transfer of proceeds of judgment, erroneously deposited as public money, to credit of.
25 Stat., 642, vol. 1, 301.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to credit as of July 12, 1902, the permanent fund of the Chippewa Indians of Minnesota arising under the Act of January 14, 1889 (25 Stat. L. 642), and the agreements made thereunder, with the sum of $59,401.04, being the value of the timber at the time of conversion as awarded in that certain judgment entered in the Circuit Court of the United States for the District of Minnesota pursuant to the mandate of the Supreme Court of the United States in the case entitled "Pine River Logging and Improvement Company and others against United States" (186 U. S. 279), and which judgment was erroneously deposited July 12, 1902, in the Treasury of the United States as public money and to credit the interest fund of said Indians with interest thereon from July 12, 1902, at the rate provided in said Act of January 14, 1889, and agreements made thereunder, to the date said credit is given, together with the sum of $39,284.76, being the amount of interest collected by the United States in said action.

Compensation of attorneys.

R. S. § 2103.
25 U. S. C. § 81.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to determine just and proper compensation to the respective attorneys representing the Chippewa Indians of Minnesota, under contracts approved pursuant to section 2103 of the Revised Statutes of the United States, in the prosecution of their claims against the United States for services rendered in the prosecution of said claim, said compensation to be based upon the nature, extent, character, and value of the services rendered and moneys expended, and to pay such amounts, if any, not exceeding 10 per centum of the amount recovered, as he may find said attorneys to be entitled to receive, out of the trust funds standing to the credit of the Chippewa Indians of Minnesota.

Approved, June 15, 1938.

June 15, 1938.
[S. 3166.]
52 Stat., 696.

CHAP. 435.—An Act To amend section 2139 of the Revised Statutes, as amended

Indian liquor laws.
R. S. § 2139; 27 Stat., 260; 29 Stat., 506.
25 U. S. C. § 241.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2139 of the Revised Statutes, as amended by the Act of July 23, 1892, entitled "An Act to amend sections twenty-one hundred and thirty-nine, twenty-one hundred and forty, and twenty-one hundred and forty-one of the Revised Statutes touching the sale of intoxicants in the Indian country, and for other purposes," and as amended by the Act of January 30, 1897, entitled "An Act to prohibit the sale of intoxicating drinks to Indians, providing penalties therefor, and for other purposes," is amended to read as follows:

Intoxicating liquor.
Sale, etc., to Indians prohibited.

"SEC. 2139. Any person who shall sell, give away, dispose of, exchange, or barter any malt, spirituous, or vinous liquor, including beer, ale, and wine, or any ardent or other intoxicating liquor of any kind whatsoever, or any essence, extract, bitters, preparation, compound, composition, or any article whatsoever, under any name, label, or brand, which produces intoxication to any Indian to whom an allotmen of land has been made while the title to the same shall be held in trust by the Government, or to any Indian who is a ward of the Government under charge of any Indian superintendent or agent, or to any Indian, including mixed bloods, over whom the Government,

through its departments, exercises guardianship, and any person who shall introduce or attempt to introduce any malt, spirituous, or vinous liquor, including beer, ale, and wine, or any ardent or intoxicating liquor of any kind whatsoever into the Indian country, which term shall include any Indian allotment while the title to the same shall be held in trust by the Government, or while the same shall remain inalienable by the allottee without the consent of the United States, shall be punished for the first offense by imprisonment for not more than one year, and by a fine of not more than $500, and for the second offense and each offense thereafter by imprisonment for not more than five years, and by a fine of not more than $2,000: *Provided, however*, That the person convicted shall be committed until fine and costs are paid: *And provided further*, That first offenses under this section may be prosecuted by information, but no person convicted of a first offense under this section shall be sentenced to imprisonment in a penitentiary or required to perform hard labor. It shall be a sufficient defense to any charge of introducing or attempting to introduce ardent spirits, ale, beer, wine, or intoxicating liquors into the Indian country that the acts charged were done under authority, in writing, from the War Department or any officer duly authorized thereunto by the War Department. All complaints for the arrest of any person or persons made for violation of any of the provisions of this section shall be made in the county where the offense shall have been committed, or if committed upon or within any reservation not included in any county, then in any county adjoining such reservation; but in all cases such arrests shall be made before any United States court commissioner residing in such adjoining county, or before any magistrate or judicial officer authorized by the laws of the State in which such reservation is located to issue warrants for the arrest and examination of offenders by section 1014 of the Revised Statutes as amended. And all persons so arrested shall, unless discharged upon examination, be held to answer and stand trial before the court of the United States having jurisdiction of the offense."

Introduction, etc., into Indian country.

Penalty for violation.

Provisos.
Commitment until fine, etc., paid.
Prosecution of first offenses by information.

Authorized introduction of liquors.

Complaints; venue, etc.

Arrests.
Procedure.

R. S. § 1014.
18 U. S. C. § 591.

SEC. 2. Section 2139 of the Revised Statutes, as amended by this Act, shall be deemed to apply to offenses committed subsequent to the date of enactment of this Act, and any reference in any other Act of Congress to the Act of January 30, 1897, insofar as it relates to offenses committed subsequent to the date of enactment of this Act, shall be deemed to be a reference to section 2139 of the Revised Statutes as amended by this Act.

Citations hereunder deemed to apply to offenses subsequent to date of enactment.
R. S. § 2139.
29 Stat., 506, vol. 1, 83.
25 U. S. C. § 241.

SEC. 3. The Act entitled "An Act to prohibit the sale of intoxicating drinks to Indians, providing penalties therefor, and for other purposes", approved January 30, 1897, is hereby repealed.

Existing Act repealed.
29 Stat., 506, vol. 1, 83.

Approved, June 15, 1938.

CHAP. 436.—An Act To divide the funds of the Chippewa Indians of Minnesota between the Red Lake Band and the remainder of the Chippewa Indians of Minnesota, organized as the Minnesota Chippewa Tribe

June 15, 1938.
[H. R. 4544.]
52 Stat., 697.

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 and directed to determine, as of the close of the fiscal year next succeeeding[1] the date of the passage of this Act, the total sum of money in the Treasury of the United States to the credit of the Chippewa Indians of Minnesota derived from the provisions of the Act of Congress of January 14, 1889, entitled

Chippewa Indians of Minnesota.
Determination of total sum in Treasury to credit of, directed.

[1] So in original.

"An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota" (25 Stat. L. 642), from which total amount so determined, said Secretary shall deduct and retain in the existing fund now standing to the credit of "all the Chippewa Indians in the State of Minnesota" the sum of $10,000, and so much thereof as may be necessary, may be expended as authorized in the Act of May 14, 1926 (44 Stat. L. 555), and the amendatory Act of April 11, 1928 (45 Stat. L. 423), and for no other purpose.

25 Stat., 642, vol. 1, 301.
Deduction and retention of sum for authorized expenses.

44 Stat., 555, vol. 4, 546; 45 Stat., 423; ante, 41.

Determination of interest of Red Lake Band.

SEC. 2. Upon so determining the amount of money to the credit of said Indians, the Secretary of the Interior is hereby directed to determine what part of said amount represents the interest of the Red Lake Chippewa Indians of Minnesota on the basis of the proportion which the number of Indians on the official annuity or per-capita payment roll of the Red Lake Band bears to the number of Indians on the official annuity or per-capita payment rolls of all the other Chippewa Indians of Minnesota. The last annuity rolls or the latest per-capita payment rolls, whichever are the later, approved prior to the passage of this Act shall be used in making this computation.

Use of last annuity, etc., rolls in making computation.

Red Lake Chippewa fund to be held as a separate fund.

SEC. 3. The portion of the total funds of the Chippewa Indians of Minnesota so determined to represent the interest of the Red Lake Chippewa Indians of Minnesota shall be segregated from the said total funds in the Treasury of the United States as the exclusive property of the Red Lake Chippewa Indians of Minnesota and shall be held as a separate and distinct fund which shall be called the Red Lake Chippewa fund and shall be kept intact in the Treasury pursuant to the terms of the said Act of January 14, 1889, and shall be administered by the Secretary of the Interior as the separate property of the Red Lake Chippewa Indians of Minnesota. The remainder of said total funds shall be held in the Treasury as the property of all the other Chippewa Indians of Minnesota. Such funds shall be kept intact in the Treasury pursuant to the terms of said Act of January 14, 1889, and shall be administered by the Secretary of the Interior as the separate property of all other Chippewa Indians of Minnesota.

Remainder of total as property of all other Chippewa Indians of Minnesota.

Division of unexpended balance and future funds.

SEC. 4. Any unexpended balance remaining of the $10,000 set aside by the first section of this Act and all future funds derived from the provisions of said Act of January 14, 1889, or from any use of funds accrued under said Act as may have been directed by Congress, shall be divided in the same proportion as the division authorized herein between the said Red Lake Chippewa Indians of Minnesota as of one part and all other Chippewa Indians of Minnesota as of the other part, and the portions thereof belonging to each group shall immediately be placed in the Treasury of the United States in the funds named in section 3 of this Act, and shall be likewise administered.

Approved, June 15, 1938.

June 16, 1938.
[H. R. 10238.]
52 Stat., 710.

CHAP. 464.—An Act Making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1939, and for other purposes

Department of Agriculture and Farm Credit Administration appropriations, 1939.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1939, namely:

* * * * * * *

BUREAU OF PUBLIC ROADS

Bureau of Public Roads.

* * * * * * *

PUBLIC-LANDS HIGHWAYS

Public-lands highways.

For the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations, under the provisions of the Act of June 24, 1930 (23 U. S. C. 3), $2,500,000, to be immediately available and to remain available until expended, which sum is the amount authorized for the fiscal year 1939 by section 3 of the Act approved June 16, 1936 (49 Stat. 1520).

Survey, construction, etc.

46 Stat., 805; post, 633.
23 U. S. C. § 3.

49 Stat., 1520; ante, 470.

* * * * * * *

Approved, June 16, 1938.

CHAP. 466.—An Act To authorize a survey of the old Indian trail and the highway known as "Oglethorpe Trail" with a view of constructing a national roadway on this route to be known as "The Oglethorpe National Trail and Parkway"

June 16, 1938.
[H. R. 6243.]
52 Stat., 752.

Oglethorpe National Trail and Parkway.
Preamble.

Whereas the ancient Indian trail, extending from Savannah, the scene of the English colonization of Georgia, northwestwardly along the route of the Savannah River in the direction of the city of Augusta, and thence in a northwesterly direction, furnished a trail along which passed the great Indian migrations and also furnished a means of communication between the Indian tribes traveling from the Middle West and North to the Southeast; and

Whereas General Oglethorpe, in establishing a thoroughfare from Savannah to Augusta (upon returning, in September 1739, from his famous treaty conference with the Creek Nation, which was held at Coweta), followed this ancient Indian trail—this thoroughfare having been used thereafter by the colonists of Georgia in establishing their trading posts and outposts along the banks of the Savannah River into the great heart of the southeastern territory of the United States; and

Whereas this thoroughfare from Savannah to Augusta was designated in 1780 as a British military road; and

Whereas for nearly three-quarters of a century this thoroughfare was used as a stage road, President George Washington having traveled this road during his southern tour in 1791 in going from Savannah to Augusta; and

Whereas many important and historic sites are located on or near this road, including (ascending from Savannah) Old Yamacraw; the Hermitage Plantation; New Yamacraw; the Indian Mound Irene (site of John Wesley's Mission); Mrs. Musgroves Cowpen; Joseph's Town; Mulberry Grove (Nathanael Greene's plantation and site of invention of the cotton gin by Eli Whitney); the town of Abercorn; Dacre's Tavern; New Ebenezer; Old Ebenezer (site of the Salzburger settlement in 1734); the Palachocolas river crossing; Mount Pleasant (site of the trading post and fort); Hudson's Ferry; Uchee Town; Brier Creek Battlefield (site of important Revolutionary War battle); Burton's Ferry; Telfare's Saw Mill; Telfare's Plantation; Stony Bluff (site of prehistoric Indian stone implement factory); Gorham's Ferry; Shell Bluff (site of deposits of gigantic fossilized oysters five inches wide by twenty-four inches long); and

Whereas not only is the area traversed rich in historic and prehistoric sites but it contains tremendous scenic value, passing through deep,

junglelike river swamps which abound in game; over small blackwater creeks well stocked with bass, perch, and bream; across flat pine barren lands and rolling hills, and along commanding bluffs on the banks of the Savannah River; and in the springtime when dogwood, laurel, and magnolias are in bloom the area becomes a veritable garden; and

Whereas the entire Indian trail and the original thoroughfare from Savannah to Augusta lends itself particularly well to treatment as a national historic parkway (aside from its own significance it appears entirely feasible and desirable to link this proposed parkway to other national parkways, now under construction, by developing the Cherokee Indian trail from Augusta over the mountains to Tennessee); and

Whereas the cities and counties located in the area through which this roadway passes are interested in the building of this national parkway—numerous organizations, associations, and private citizens having already sponsored many projects to mark various of the historic sites along the roadway; and

Whereas the Government has recently adopted a policy and set up a division in the Department of the Interior known as the "National Park Service" to engage in a national way in laying out parks, reservations, and building parkways: Therefore

Use of funds authorized for survey of old Indian and Oglethorpe Trail.

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 hereby authorized to use a sum not in excess of $10,000 of the regular roads and trails or parkway appropriations available to the National Park Service, with which to make a survey of the old Indian and Oglethorpe Trail throughout its entire length leading from the city of Savannah to the city of Augusta, Georgia, the same to be known as "The Oglethorpe National Trail and Parkway." The said survey shall locate the parkway as nearly as practicable in its original route. An estimate of cost of construction of an appropriate national parkway on this route, and such other data as would be valuable, shall be obtained by said survey, with the objective of determining matters concerning the construction of the parkway.

Location of parkway.

Approved, June 16, 1938.

June 20, 1938.
[S. 3415.]
52 Stat., 778.

CHAP. 524.—An Act To purchase certain private lands within the Shoshone Wind River Indian Reservation

Shoshone (Wind River) Indian Reservation, Wyo.
Purchase of certain private lands within, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon conveyance to the United States of America in trust for the Indians of the Shoshone (Wind River) Reservation, Wyoming, of title, satisfactory to the Secretary of the Interior, to the lands described below, the Secretary of the Treasury is hereby authorized and directed to pay to A. L. Simpson, out of any money in the Treasury not otherwise appropriated, the sum of $2,700: The northeast quarter northwest quarter section 26, southeast quarter southwest quarter section 23, and a tract beginning at the southwest corner of the southeast quarter northwest quarter section 23; thence north one thousand and forty-two feet; thence south forty-six degrees fifty-one minutes east approximately nine hundred and seven and three-tenths feet to the east line of the west half southeast quarter northwest quarter section 23; thence south to the southeast corner of the southwest quarter southeast quarter northwest quarter section 23; thence west to the point of beginning, all being in township 1 south, range 3 east, Wind River meridian, Wyoming, containing approximately ninety-one and one hundred and seven one-thousandths acres.

Descriptions.

Approved, June 20, 1938.

CHAP. 525.—An Act To authorize an appropriation for repayment to the Middle Rio Grande Conservancy District, a subdivision of the State of New Mexico, of the share of the said district's construction and operation and maintenance costs applicable to certain properties owned by the United States, situate in Bernalillo County, New Mexico, within the exterior boundaries of the district; to authorize the Secretary of the Interior to contract with said district for future operation and maintenance charges against said lands; to authorize appropriation for extra construction work performed by said district for the special benefit of certain Pueblo Indian lands and to authorize appropriation for construction expenditures benefiting certain acquired lands of Pueblo Indians of the State of New Mexico

June 20, 1938.
[S. 3426.]
52 Stat., 778.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $20,470.71 for repayment to the Middle Rio Grande Conservancy District, a corporate political subdivision of the State of New Mexico, of the unpaid share of the construction costs of said district for conservation, irrigation, drainage, and flood control applicable to the following-described lands in the county of Bernalillo, State of New Mexico, within the exterior boundaries of said district:

Middle Rio Grande Conservancy District.
Repayment to, of unpaid share of construction costs for conservation, etc.
Appropriation authorized.

Description of lands.

One hundred and forty-two and nine one-hundredths acres in Bernalillo County, New Mexico, known and described as the Lands of the Albuquerque Indian School of the Department of the Interior, United States of America,

the lands so described being owned by the United States and having been materially benefited by the construction works of the said district, and the share of the costs of such construction having been determined by an appraisal of benefits made by the said district's board of appraisers at the same time and in the same manner and on the same basis as appraisals made against other lands in the said district, and the assessments made thereon by the board of commissioners of said district being the same as that made against like lands similarly situated.

SEC. 2. That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $1,539.65 for repayment to the Middle Rio Grande Conservancy District for the equal and pro rata assessment for operation and maintenance costs for the years 1934, 1935, 1936, and 1937 against lands described in section 1 of this Act.

Operation and maintenance costs for years 1934–1937, inclusive.
Appropriation authorized.

SEC. 3. That the Secretary of the Interior be, and he is hereby, authorized and directed to enter into an agreement with the Middle Rio Grande Conservancy District for the payment of future operation and maintenance costs which shall be levied and assessed against the properties described in section 1, the said agreement to provide that all assessments and levies thereunder shall be on the same equal basis as assessments and levies against other lands similarly situated or assessed in said district.

Agreement for payment of future operation, etc., costs.

The said operation and maintenance charge to be upon all lands included within the Albuquerque Indian School in Bernalillo County, New Mexico.

Operation, etc., charge to be on Albuquerque Indian school lands.

SEC. 4. That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to be reimbursed in accordance with existing law, the sum of $3,338.17 for repayment to the Middle Rio Grande Conservancy District of the cost of extra construction works performed by the district for the special benefit of certain Indian lands belonging to certain Pueblo Indians of New Mexico situate within the exterior boundaries of said district, such works not having been provided for in the district's approved official plan but which were constructed at the instance and request of agents of the Bureau of Indian Affairs.

Extra construction for special benefit of certain Indian lands.
Appropriation authorized.

Provisions for maintenance, newly reclaimed Pueblo Indian lands, extended.
49 Stat., 887; ante, 445.

SEC. 5. That the provisions of the Act of August 27, 1935 (49 Stat. 887), authorizing the Secretary of the Interior to provide by agreement with the Middle Rio Grande Conservancy District, a subdivision of the State of New Mexico, for maintenance and operation on newly reclaimed Pueblo Indian lands in the Rio Grande Valley, New Mexico, reclaimed under previous Act of Congress, and authorizing an annual appropriation to pay the cost thereof for a period of not to exceed five years, are hereby extended for an additional period of five years to 1945, and the provisions of this section shall be applicable to lands purchased by the United States for certain Pueblo Indians of New Mexico under and by virtue of the Act of June 7, 1924 (43 Stat. 636), as amended.

Application to lands purchased by U. S. for certain Pueblo Indians of New Mexico.
43 Stat., 636, vol. 4, 454.

Approved, June 20, 1938.

June 21, 1938.
[H. J. Res. 679.]
52 Stat., 809.

CHAP. 554.—Joint Resolution Making appropriations for work relief, relief, and otherwise to increase employment by providing loans and grants for public works projects

Work Relief and Public Works Appropriation Act of 1938.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, This joint resolution may be cited as the "Work Relief and Public Works Appropriation Act of 1938".

* * * * * * *

Title II—Public Works Administration Act of 1938.
Appropriation.
Post, 612, 613.

TITLE II—PUBLIC WORKS ADMINISTRATION PROJECTS

SEC. 201. (a) In order to increase employment by providing for useful public works projects of the kind and character which the Federal Emergency Administrator of Public Works (herein called the "Administrator") has heretofore financed or aided in financing, pursuant to Title II of the National Industrial Recovery Act, the Emergency Relief Appropriation Act of 1935, the Emergency Relief Appropriation Act of 1936, or the Public Works Administration Extension Act of 1937, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to remain available until June 30, 1940, the sum of $965,000,000, to be expended by such Administrator, subject to the approval of the President, for (1) the making of allotments to finance Federal projects, or (2) the making of loans or grants, or both, to States, Territories, possessions, political subdivisions, or other public bodies (herein called public agencies), or (3) the construction and leasing of projects, with or without the privilege of purchase, to any such public agencies: *Provided*, That no funds appropriated under this title shall be available for the acquisition of land to enlarge Indian Reservations.

48 Stat., 200; 49 Stat., 115, 1608; 50 Stat., 352.

Availability.

Authorized expenditures.

Proviso.
Use for enlarging Indian Reservations forbidden.

* * * * * * *

Approved, June 21, 1938.

June 24, 1938.
[S. 4036.]
52 Stat., 1034.

CHAP. 645.—An Act Relating to the tribal and individual affairs of the Osage Indians of Oklahoma

Osage Indians of Oklahoma.
Quarterly payments to adult members without competency certificate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the Secretary of the Interior shall cause to be paid to each adult member of the Osage Tribe of Indians not having a certificate of competency his or her pro rata share, either as a member of the tribe or heir or devisee of a deceased member, of the interest on trust funds, the bonus received from the sale of oil or gas leases, and the royalties therefrom received during each fiscal quarter, not to exceed $1,000 per quarter;

and if such adult member has a legal guardian, his current income not to exceed $1,000 per quarter may be paid to such legal guardian in the discretion of the Secretary of the Interior: *Provided*, That when an adult restricted Indian has surplus funds in excess of $10,000 there shall be paid such Indian sufficient funds from his accumulated surplus in addition to his current income to aggregate $1,000 quarterly; but in the event of any adult restricted Indian has surplus funds of less than $10,000, such Indian shall receive quarterly only his current income not to exceed $1,000 per quarter: *Provided further*, That the Secretary of the Interior is hereby authorized to and may in his discretion pay out of any money heretofore accrued or hereafter accruing to the credit of any person of Osage Indian blood who does not have a certificate of competency or who is one-half or more Osage Indian blood, all of said person's taxes of every kind and character, for which such person is now or hereafter may be liable, before paying to or for such person any funds as required by law: *And provided further*, That upon application and consent of any restricted Osage Indian the Secretary of the Interior may cause payment to be made of additional funds from the accumulated surplus to the credit of any Osage Indian under such rules and regulations as he may prescribe. Rentals due such adult members from their lands and their minor children's lands and all income from such adults' investments, including interest on deposits to their credit, shall be paid to them in addition to the current allowances above provided.

To legal guardians.

Provisos.
If Indian's surplus funds exceed $10,000.

If less than $10,000.

Payment of taxes, etc.

Payment of additional funds upon application, etc., of restricted Indians.

Rentals.

Whenever minor members of the Osage Tribe of Indians have funds or property subject to the control or supervision of the Secretary of the Interior, the said Secretary may in his discretion pay or cause to be paid to the parents, legal guardian, or any person, school, or institution having actual custody of such minors, such amounts out of the income or funds of the said minors as he deems necessary, and when such a minor is eighteen years of age or over, the Secretary of the Interior may in his discretion cause disbursement of funds for support and maintenance or other specific purposes to be made direct to such minor.

Funds of minor members, payments therefrom to custodians, etc.

Direct payments on attaining age of 18 years.

SEC. 2. There is authorized to be appropriated from funds on deposit to the credit of the Osage Tribe of Indians not to exceed $10,000 annually to pay per diems to, and traveling expenses of, the members of the Osage Tribal Council in making necessary trips to the city of Washington and other places in connection with Osage tribal affairs. Expenditures from appropriations made pursuant to this authorization shall be in accordance with rules and regulations to be prescribed by the Secretary of the Interior.

Appropriation authorized for travel expenses of Tribal Council.

SEC. 3. That section 1 of the Act of Congress of March 2, 1929 (45 Stat. L. 1478), relating to the Osage Indians of Oklahoma, be, and the same is hereby, amended to read as follows:

45 Stat., 1478; ante, 87.

"That all that part of the Act of June 28, 1906 (34 Stat. L. 539), entitled 'An Act for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes', which reserves to the Osage Tribe the oil, gas, coal, or other minerals, covered by the lands for the selection and division of which provision is made in that Act is hereby amended so that the oil, gas, coal, or other minerals, covered by said lands are reserved to the Osage Tribe, until the 8th day of April, 1983, unless otherwise provided by Act of Congress, and all royalties and bonuses arising therefrom shall belong to the Osage Tribe of Indians, and shall be disbursed to members of the Osage Tribe or their heirs or assigns as now provided by law, after reserving such amounts as are now or may hereafter be authorized by Congress for specific purposes.

Oil, etc., lands reserved to tribe until April 8, 1983.
34 Stat., 539, vol. 3, 252.

Disbursement of royalties, etc., to tribe members.

Continuation of trusts, etc., on certain properties.

"The lands, moneys, and other properties now or hereafter held in trust or under the supervision of the United States for the Osage Tribe of Indians, the members thereof, or their heirs and assigns, shall continue subject to such trusts and supervision until January 1, 1984, unless otherwise provided by Act of Congress.

Offering of certain unleased lands for oil, gas, etc., leases.

"The Secretary of the Interior and the Osage Tribal Council are hereby authorized and directed to offer for lease for oil, gas, and other mining purposes any unleased portion of said land in such quantities and at such times as may be deemed for the best interest of the Osage Tribe of Indians: *Provided*, That not less than twenty-five thousand acres shall be offered for lease for oil- and gas-mining purposes during any one year: *Provided further*, That as to all lands hereafter leased, the regulations governing same and the leases issued thereon shall contain appropriate provisions for the conservation of the natural gas for its economic use, to the end that the highest percentage of ultimate recovery of both oil and gas may be secured: *Provided, however*, That nothing herein contained shall be construed as affecting any valid existing lease for oil or gas or other minerals, but all such leases shall continue as long as gas, oil, or other minerals are found in paying quantities.

Provisos.
Minimum yearly offering.
Conservation provisions in leases.

Valid existing leases.

Homesteads of Indians without competency certificates, tax exemption.

"Homestead allotments of Osage Indians not having a certificate of competency shall remain exempt from taxation while the title remains in the original allottee of one-half or more of Osage Indian blood and in his unallotted heirs or devisees of one-half or more of Osage Indian blood until January 1, 1984: *Provided*, That the tax-exempt land of any such Indian allottee, heir, or devisee shall not at any time exceed one hundred and sixty acres."

Proviso.
Limitation on area.

Approved, June 24, 1938.

June 24, 1938.
[S. 2163.]

52 Stat., 1037.

CHAP. 648.—An Act To authorize the deposit and investment of Indian funds

Indian trust funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized in his discretion, and under such rules and regulations as he may prescribe, to withdraw from the United States Treasury and to deposit in banks to be selected by him the common or community funds of any Indian tribe which are, or may hereafter be, held in trust by the United States and on which the United States is not obligated by law to pay interest at higher rates than can be procured from the banks. The said Secretary is also authorized, under such rules and regulations as he may prescribe, to deposit in banks to be selected by him the funds held in trust by the United States for the benefit of individual Indians: *Provided*, That no individual Indian money shall be deposited in any bank until the bank shall have agreed to pay interest thereon at a reasonable rate, subject, however, to the regulations of the Board of Governors of the Federal Reserve System in the case of member banks, and of the Board of Directors of the Federal Deposit Insurance Corporation in the case of insured nonmember banks, except that the payment of interest may be waived in the discretion of the Secretary of the Interior on any deposit which is payable on demand: *Provided further*, That no tribal or individual Indian money shall be deposited in any bank until the bank shall have furnished an acceptable bond or pledged collateral security therefor in the form of any public-debt obligations of the United States and any bonds, notes, or other obligations which are unconditionally guaranteed as to both interest and principal by the United States, except that no such bond or collateral shall be required to be furnished by any such bank which is entitled to the benefits of section 12B of the Federal Reserve Act, with respect to any deposits

Withdrawal from the Treasury and deposit in selected banks.

Deposits for benefit of individual Indians.

Provisos.
Interest on deposits.

Security.

Exception.

of such tribal or individual funds to the extent that such deposits are insured under such section: *Provided, however*, That nothing contained in this Act, or in section 12B of the Federal Reserve Act, shall operate to deprive any Indian having unrestricted funds on deposit in any such bank of the full protection afforded by section 12B of said Federal Reserve Act, irrespective of any interest such Indian may have in any restricted Indian funds on deposit in the same bank to the credit of a disbursing agent of the United States. For the purpose of said Acts, said unrestricted funds shall constitute a separate and distinct basis for an insurance claim: *Provided further*, That the Secretary of the Interior, if he deems it advisable and for the best interest of the Indians, may invest the trust funds of any tribe or individual Indian in any public-debt obligations of the United States and in any bonds, notes, or other obligations which are unconditionally guaranteed as to both interest and principal by the United States: *And provided further*, That the foregoing shall apply to the funds of the Osage Tribe of Indians, and the individual members thereof, only with respect to the deposit of such funds in banks.

48 Stat., 168, 969.
12 U. S. C. § 264; Supp. III, § 264.
Deposit, etc., insurance.

Investment of trust funds in Government public-debt obligations, etc.

Application to bank deposits only.

SEC. 2. Section 28 of the Act of May 25, 1918, entitled "An Act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June thirtieth, nineteen hundred and nineteen", and all other Acts or parts of Acts inconsistent herewith, are hereby repealed.

Repeal provisions.

SEC. 3. Nothing contained in this Act shall be construed as affecting the provisions of the Federal Reserve Act or regulations issued thereunder relating to the payment of interest on deposits.

Federal Reserve Act not affected.
12 U. S. C., ch. 3; Supp. III, ch. 3.
40 Stat., 591, vol. 4, 117.

Approved, June 24, 1938.

CHAP. 681.—An Act Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1938, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1938, and June 30, 1939, and for other purposes

June 25, 1938.
[H. R. 10851.]
52 Stat., 1114.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1938, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1938, and June 30, 1939, and for other purposes, namely:

Second Deficiency Appropriation Act, fiscal year 1938.

* * * * * * *

[For appropriation for Chickamauga, etc. Commission, see Post, 635.]

* * * * * * *

DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

Bureau of Indian Affairs.

Purchase and transportation of Indian supplies: For additional amounts for expenses of purchase and transportation of goods and supplies for the Indian Service, for the fiscal years that follow:

Purchase, etc., of Indian supplies.

For 1935, $35,000;
For 1936, $15,000;
For 1937, $140,000;
For 1938, $100,000.

48 Stat., 366; ante, 347.
49 Stat., 181; ante, 406.
49 Stat., 1763; ante, 483.
50 Stat., 570; ante, 521.

Suppressing liquor traffic among Indians: For an additional amount for the suppression of the traffic in intoxicating liquors and deleterious drugs among Indians, fiscal year 1937, $1,861.97.

Suppressing liquor, etc., traffic.
49 Stat., 1768; ante, 485.

Vehicles; limitation on expenditure increased.
Fiscal year 1937.
49 Stat., 1764; ante, 484.

Vehicles, Indian Service: The limitation of $290,000 on the amount of applicable appropriations for the Bureau of Indian Affairs contained in the Interior Department Appropriation Act, fiscal year 1937, that may be expended for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for the use of employees in the Indian field service, and the transportation of Indian school pupils, is hereby increased to $430,000.

Fiscal year 1938.
50 Stat., 571; ante, 522.

Vehicles, Indian Service: The limitation of $190,000 on the amount of applicable appropriations for the Bureau of Indian Affairs contained in the Interior Department Appropriation Act, fiscal year 1938, that may be expended for the purchase and exchange of motor-propelled, passenger-carrying vehicles for the use of employees in the Indian field service, including the transportation of Indian school pupils, is hereby increased to $200,000.

Payment to Sioux Indians for failure to receive allotments.

Payment to Sioux Indians for failure to receive allotments: For an additional amount for payment to various Sioux Indians of the Pine Ridge Reservation, South Dakota, or their heirs, on account of allotments of land to which they were entitled but did not receive, and for compensation of attorneys for services performed, fiscal year 1938, $80, to remain available until expended.

Fort Hall Reservation, Idaho, purchase of land.

Purchase of land, Fort Hall Reservation, Idaho (tribal funds): For the purchase of Indian-owned and privately owned lands or interests therein, and improvements thereon, fiscal year 1939, $40,000, payable from funds on deposit to the credit of the Fort Hall Indians: *Provided*, That title to any land, interests therein, or improvements so purchased shall be taken in the name of the United States in trust for the Shoshone-Bannock Tribes of the Fort Hall Reservation: *Provided further*, That in the discretion of the Secretary of the Interior title may be taken to the surface only.

Provisos.
Title in trust for Shoshone-Bannock Tribes.

Title to surface only.

Southern Ute Indians, Colo., purchase of land for.

Purchase of land for the Southern Ute Indians, Colorado (tribal funds): For the purchase of land and improvements thereon for the Southern Ute Indians in Colorado, fiscal year 1939, $20,000, payable from funds on deposit to the credit of the Southern Ute Band of Ute Indians: *Provided*, That title to any land or improvements so purchased shall be taken in the name of the United States in trust for the Southern Ute Band of Indians.

Proviso.
Title to land.

Ute Mountain Indians, Colo., purchase of land for.

Purchase of land for Ute Mountain Indians, Colorado (tribal funds): For the purchase of land and improvements thereon for the Ute Mountain Band of Indians in Colorado, fiscal year 1939, $20,000, payable from funds on deposit to the credit of the Ute Mountain Band: *Provided*, That title to any land or improvements so purchased shall be taken in the name of the United States in trust for the Ute Mountain Band of Ute Indians.

Proviso.
Title to land.

Industrial assistance.

Industrial assistance (tribal funds): For an additional amount for the construction of homes for individual members of the tribes; for advances to them for the purchase of seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support and burial, and Indians having irrigable allotments to assist them in the development and cultivation thereof, fiscal year 1939, $178,000, payable from tribal funds as follows: Fort Apache, Arizona, $25,000; Sells, Arizona, $3,000; Navajo, Arizona and New Mexico, $25,000; Blackfeet, Montana, $125,000; subject to the same conditions specified under this head in the Interior Department Appropriation Act, 1939.

Ante, 573.

Gila River Reservation, Ariz., maintenance of San Carlos irrigation project.
50 Stat., 577; ante, 576.

Maintenance, San Carlos irrigation project, Gila River Reservation, Arizona (receipt limitation): For an additional amount for operation and maintenance of the San Carlos project for the irrigation of lands in the Gila River Indian Reservation, Arizona, fiscal year 1938, $10,000

(power revenues), from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat., 1227; ante, 389.

Irrigation systems on Indian reservations: For additional amounts for the construction, repair, and rehabilitation of irrigation systems on Indian reservations, including the same objects and limitations specified under this head in the Interior Department Appropriation Act, 1938, to remain available until June 30, 1939, as follows:

31 U. S. C. § 725c.
Irrigation systems on Indian reservations.

50 Stat., 576; ante, 575.

Arizona: Salt River, $42,712, reimbursable;

Arizona.

New Mexico: Fruitlands, $130,000, reimbursable.

New Mexico.

Natives in Alaska: For an additional amount for natives of Alaska, fiscal year 1939, including the same objects specified under this head in the Interior Department Appropriation Act, 1939, $35,000.

Natives in Alaska.

Construction and equipment: Point Barrow Hospital, Alaska: The appropriation of $100,000 contained in the Second Deficiency Appropriation Act, fiscal year 1937, for the construction and equipment of a hospital at Point Barrow, Alaska, is hereby continued available for the same purposes until June 30, 1939.

Point Barrow Hospital, Alaska, construction and equipment.
50 Stat., 222; ante, 515.

Grazing fees, Tongue River Reservation, Montana (tribal funds): Not to exceed $6,000 of the funds on deposit in the Treasury of the United States to the credit of the Northern Cheyenne Indians of the Tongue River Reservation, Montana, may be used to pay individual members of the tribe, or their heirs, for the rental of allotments during 1935 and 1936 to the Northern Cheyenne Indian Stockgrowers Association, fiscal year 1938, to remain available until June 30, 1939.

Tongue River Reservation, Mont., Grazing fees.

Expenses of attorneys, Quinaielt Reservation, Washington (tribal funds): Not to exceed $1,500 of the funds on deposit to the credit of the Quinaielt Indians, Washington, is hereby made available for the fiscal year 1939 for expenses incurred by the attorney of record in prosecuting the claims of the Quinaielt Tribe in the Court of Claims, as authorized by the Act of February 12, 1925 (43 Stat. 886): *Provided*, That claims for such expenses shall be filed with and approved by the Secretary of the Interior, and such claims shall be itemized and supported by proper vouchers: *Provided further*, That any payments made hereunder shall be deducted from any amount which may hereafter be decreed by the Court of Claims to the attorney for expenses in connection with the suit on behalf of the Quinaielt Indians.

Quinaielt Reservation, Wash., expenses of attorneys.

43 Stat., 886, vol. 4, Filing of claims.
Provisos.
Filing of claims.

Deductions.

Expenses of special attorneys, Osage Nation, Oklahoma (tribal funds): For necessary and proper expenses of attorneys employed under contracts in accordance with existing law, to prosecute tax matters on behalf of the Osage Indians, fiscal year 1939, to remain available until expended, $4,000, payable, upon proper vouchers approved by the Secretary of the Interior, from funds on deposit to the credit of the Osage Tribe.

Osage Indians, Okla., expenses of special attorneys.

Klamath Reservation, Oregon: For an additional amount for support of Indians and administration of Indian property, Klamath Reservation, Oregon, fiscal year 1939, $4,500, payable from funds on deposit to the credit of the Klamath Indians, which amount shall be available only for fees and expenses of an attorney or firm of attorneys selected by the tribe and employed under a contract approved by the Secretary of the Interior in accordance with existing law.

Klamath Reservation, Oreg.

Construction, and so forth, buildings and utilities, Indian Service: For an additional amount for the construction, repair, or rehabilitation of school, agency, hospital, or other buildings and utilities, including the purchase of land and the acquisition of easements or rights-of-way when necessary, and including the purchase of furniture, furnishings, and equipment as follows:

Construction, etc., buildings and utilities, Indian Service.

Choctaw-Chickasaw Sanatorium and General Hospital, Oklahoma: Quarters for employees, $40,000;

Choctaw - Chickasaw Sanatorium and General Hospital, Okla.

Pine Ridge, South Dakota: Horse barn, $10,000; nurses' home and ward attendants' building, including passageway connecting hospital to present nurses' home and remodeling such home for hospital use, $40,000;

Pine Ridge, S. Dak.

San Xavier Sanatorium, Arizona: Improvements to sewer system, $8,500;

San Xavier Sanatorium, Ariz.

Sioux Sanatorium, South Dakota: Remodeling and reconditioning all buildings and utilities, $50,000;

Sioux Sanatorium, S. Dak.

Uintah and Ouray, Utah: Quarters for employees, $12,500;

Uintah and Ouray, Utah.

United Pueblos, New Mexico: Agricultural building (Albuquerque School), $30,000;

United Pueblos, N. Mex.

In all, fiscal year 1939, $191,000: *Provided*, That not to exceed 5 per centum of the amount of any specific authorization may be transferred, in the discretion of the Commissioner of Indian Affairs, to the amount of any other specific authorization but no limitation shall be increased more than 10 per centum by such transfer.

Aggregate.

Proviso.

Interchangeability of amounts.

Reindeer industry, Alaska: For an additional amount for a survey and appraisal of the property and reindeer authorized to be acquired for the natives of Alaska under the provisions of the Act approved September 1, 1937 (50 Stat. 900), fiscal year 1939, including the same objects and under the same conditions specified under this head in the Interior Department Appropriation Act, 1939, $25,000, to be immediately available.

Reindeer industry, Alaska.

50 Stat., 900; ante, 557.

Ante, 573.

Construction, and so forth, buildings and utilities: Not to exceed $25,000 of the appropriation of $147,500 for a school building at Lac du Flambeau (Great Lakes Agency), Wisconsin, contained in the Interior Department Appropriation Act, 1938, is hereby made available until June 30, 1940, for general repairs and improvements to buildings and utilities (including the purchase and erection of a new water tank) under the jurisdiction of the Great Lakes Agency.

Great Lakes Agency, Wis., buildings and utilities.

50 Stat., 590; ante, 542.

Payment to Indians of Sioux Reservations: For additional amounts for payment of Sioux benefits to Indians of the Sioux Reservations as authorized by the Act of March 2, 1889 (25 Stat. 895), as amended, for the fiscal years that follow:

Indians of Sioux Reservations, payments.

25 Stat., 895, vol. 1, 334.

For 1933, $126.50;

For 1935, $825.30;

For 1937, $52,000;

For 1938, $160,000.

47 Stat., 110; ante, 274.
48 Stat., 376; ante, 355.
49 Stat., 1780; ante, 447.
50 Stat., 591; ante, 542.

Payment of interest on Indian trust funds: For additional amounts for payment of interest on moneys held in trust for the several Indian tribes, as authorized by various Acts of Congress, for the following fiscal years:

Payment of interest on Indian trust funds.

For 1937, $26,000;

For 1938, $25,000.

49 Stat., 1780; ante, 447.
50 Stat., 591; ante, 542.

Roads, Indian reservations: For an additional amount for the construction, improvement, repair, and maintenance of Indian reservation roads, fiscal year 1939, including the same purposes and subject to the limitations under this head in the Interior Department Appropriation Act, 1939, $2,000,000.

Reservation roads, construction, etc.

Travel expenses, and so forth, of employees, Indian Service: Appropriations made for the Indian Service for the fiscal year 1939 shall be available for travel expenses of employees on official business; for travel expenses and the cost of packing, crating, drayage, and transportation of personal effects of employees upon permanent change of station with or without a change in official position; for the purchase of ice, and for the purchase of rubber boots for official use of employees.

Travel, etc., expenses.

* * * * * * *

Roads and trails, National Park Service: For an additional amount for the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks, monuments, *and other areas administered by the National Park Service, including the Boulder Dam Recreational Area, and other areas* authorized to be established as national parks and monuments, and national park and monument approach roads authorized by the Act of January 31, 1931 (46 Stat. 1053, 1054), as amended, including the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary, fiscal year 1939, $3,000,000, to remain available until expended: *Provided*, That not to exceed $10,000 of the amount herein appropriated may be expended for personal services in the District of Columbia during the fiscal year 1939.

Roads and trails, construction, etc.

46 Stat., 1053; ante, 190.
16 U. S. C. §§ 8a–8c.

Proviso.
Personal services, D. C.

* * * * * * *

JUDGMENTS, COURT OF CLAIMS

SEC. 203. (a) For payment of the judgments rendered by the Court of Claims and reported to the Seventy-fifth Congress in Senate Document Numbered 191, and House Documents Numbered 661 and 686, under the following departments and establishments, namely:

Judgments, Court of Claims.

* * * * * * *

Department of the Interior, $9,822,411.69;[1]

* * * together with such additional sum as may be necessary to pay interest as and where specified in such judgments, or as required under mandate of Supreme Court of the United States.

Interest.

(b) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired, except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise.

Time of payment.

* * * * * * *

AUDITED CLAIMS

SEC. 204. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1935 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in House Document Numbered 667, Seventy-fifth Congress, there is appropriated as follows:

Audited claims.

18 Stat., 110.
31 U. S. C. § 713.

23 Stat., 254.
5 U. S. C. § 266.

* * * * * * *

Department of the Interior: * * *

Department of the Interior.

* * * * * * *

For loans and relief in stricken agricultural areas (transfer from Agriculture to Interior, Indians), $390.35.

For emergency conservation fund (transfer from War to Interior, Indians, Act March 31, 1933), $10.

48 Stat., 22.

For emergency conservation fund (transfer from War to Interior, Indians, Act June 19, 1934), $310.57.

48 Stat., 1055; ante, 384.

For purchase and transportation of Indian supplies, $22.58.

For Indian school support, $31.62.

[1] 299 U. S., 476; 304 U. S., 110, 117. 82 Ct. Cls., 23; 84 Ct. Cls., 641; 85 Ct. Cls., 331, 451.

For Indian boarding schools, $108.22.

For support of Indians and administration of Indian property, $58.16.

For expenses, sale of timber (reimbursable), $45.

For conservation of health among Indians, $138.85.

For agriculture and stock raising among Indians, $10.08.

For pay of Indian police, $2.78.

For Indian school buildings, $5.30.

* * * * * * *

Additional audited claims.

(b) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balance of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1935 and prior years, unless otherwise stated. and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in Senate Document Numbered 190, Seventy-fifth Congress, there is appropriated as follows:

18 Stat., 110.
31 U. S. C. § 713.

23 Stat., 254.
5 U. S. C. § 266.

* * * * * * *

Department of the Interior.

Department of the Interior: * * *

* * * * * * *

For purchase and transportation of Indian supplies, $38.75.

For agriculture and stock raising among Indians, $13.09.

For conservation of health among Indians, $434.19.

For Emergency Conservation fund (transfer from War to Interior, Indians, Act June 19, 1934), $10.61.

For loans and relief in stricken agricultural areas (transfer from Agriculture to Interior, Indians), $18.96.

For support of Indians and administration of Indian property, $54.74.

For Indian-school buildings, $266.69.

For Indian-school support, $2.40.

* * * * * * *

Approved, June 25, 1938.

June 25, 1938.
[H. R. 7844.]
52 Stat., 1169.

CHAP. 686.—An Act To amend the Act of Congress entitled "An Act to establish an Alaska Game Commission, to protect game animals, land fur-bearing animals, and birds in Alaska, and for other purposes", approved January 13, 1925, as amended

Alaska Game Law, amendments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act to establish an Alaska Game Commission, to protect game animals, land fur-bearing animals, and birds in Alaska, and for other purposes," approved January 13, 1925 (43 Stat. 739), as amended by the Act of February 14, 1931 (46 Stat. 1111), under the title "Definitions" is amended to read as follows:

43 Stat., 739; 46 Stat., 1111; ante, 201.
48 U. S. C. § 206.

Definitions.

"SEC. 2. DEFINITIONS.—That for the purposes of this Act the following shall be construed, respectively, to mean:

"Commission."

"Commission: The Alaska Game Commission.

"Territory."

"Territory: Territory of Alaska.

"Person."

"Person: The plural or the singular, as the case demands, including individuals, associations, partnerships, and corporations, unless the context otherwise requires.

"Indian."

"Indian: Natives of one-half or more Indian blood.

"Eskimo."

"Eskimo: Natives of one-half or more Eskimo blood.

"Take: Taking, pursuing, disturbing, hunting, capturing, trapping, or killing game animals, land fur-bearing animals, game or nongame birds; attempting to take, pursue, disturb, hunt, capture, trap, or kill such animals or birds; or setting or using a net, trap, or other device for taking them, or collecting the nests or eggs of such birds, unless the context otherwise requires. Whenever the taking of animals, birds, or nests or eggs of birds is permitted, reference is had to taking by lawful means and in lawful manner. "Take."

"Open season: The time during which birds or animals may lawfully be taken. Each period of time prescribed as an open season shall be construed to include the first and last days thereof. "Open season."

"Closed season: The time during which birds and animals may not be taken. "Closed season."

"Transport: Shipping, transporting, carrying, importing, exporting, or receiving or delivering for shipment, transportation, carriage, or export, unless the context otherwise requires. "Transport."

"Game animals: Deer, moose, caribou, elk, mountain sheep, mountain goat, bison, muskox, and the large brown and grizzly bears, and such other animals as have been or may hereafter be transplanted, introduced, or reintroduced into the Territory or any part thereof and found and declared by the Secretary of Agriculture to be game animals, which shall be known as big game. "Game animals."

"Land fur-bearing animals: Beaver, muskrat, marmot, raccoon, pika, squirrel, fisher, fox, lynx, marten or sable, mink, weasel or ermine, land otter, wolverine, polar bear, and black bear, including its brown and blue (or glacier bear) color variations, and such other animals as have been or may hereafter be transplanted, introduced, or reintroduced into the Territory or any part thereof and found and declared by the Secretary of Agriculture to be fur-bearing animals; but whenever the Secretary of Agriculture shall find that the aforesaid black bear, or its color variations, is predominantly hunted in any section of Alaska as a game animal rather than a fur-bearer, he shall so declare and then and thereafter, so long as such declaration remains in effect, such bear in the specified section of Alaska shall be considered to be a game animal to the same effect as if it had been expressly included in the foregoing definition of game animals. "Land fur-bearing animals."

"Game birds: Anatidae, commonly known as waterfowl, including ducks, geese, brant, and swans; Haematopodidae, Charadriidae, Scolopacidae, and Phalaropodidae, commonly known as shorebirds, including oyster-catches, plover, sandpipers, snipe, curlew, and phalaropes; Gruidae, commonly known as cranes; and the several species of grouse and ptarmigan, and such other birds as have been or may hereafter be transplanted, introduced, or reintroduced into the Territory or any part thereof and found and declared by the Secretary of Agriculture to be game birds. "Game birds."

"Nongame birds: All wild birds except game birds." "Nongame birds."

SEC. 2. That section 3 of said Act is amended by striking the period at the end of the first paragraph of said Act, following the word "alien", and inserting a colon in lieu thereof and after the colon the following: "*Provided*, That whenever the Secretary of Agriculture shall determine that the economic welfare and interests of native Indians or Eskimos, or the fur resources of Alaska, are threatened by the influx of trappers from without the Territory, he may, in his discretion and for such periods as he shall determine, require that citizens of the United States who are nonresidents of the Territory, and foreign-born persons and aliens within the meaning of this Act, shall have resided in Alaska for a continuous period of three years instead of one year before being eligible to obtain resident trapping

43 Stat., 740.
48 U. S. C. § 207.

Residence requirements.

licenses under the provisions of the Alaska game law, as amended, and regulations issued pursuant thereto."

43 Stat., 741.
48 U. S. C. § 192.

SEC. 3. That the first paragraph of section 5 of said Act is amended to read as follows:

Duties and powers of Commission, wardens, and officers.

"SEC. 5. DUTIES AND POWERS OF THE COMMISSION, WARDENS, AND OFFICERS.—That the Commission shall have authority to employ and remove game wardens, deputies, clerks, and such other assistants as may be necessary; to fix their periods of service and compensation; to rent quarters; and to incur other necessary expenses payable from appropriations for carrying out the purposes of this Act, including printing and purchase, operation, maintenance, and repair of aircraft; restocking depleted areas and emergency feeding of wildlife; investigation of wildlife conditions; and protection of wildlife resources within the Territory; but, subject to review by the Commission, the executive officer may suspend or remove any game warden or other employee for cause, including insubordination."

43 Stat., 743.
48 U. S. C. § 198.
Regulations for taking game animals, etc.

SEC. 4. That section 10 of said Act is amended to read as follows:

"SEC. 10. REGULATIONS.—That the Secretary of Agriculture, upon consultation with or recommendation from the Commission, is hereby authorized and directed from time to time to determine when, to what extent if at all, and by what means game animals, land fur-bearing animals, game birds, nongame birds, and nests or eggs of birds may be taken, possessed, transported, bought, or sold, and to adopt suitable regulations permitting and governing the same in accordance with such determinations, which regulations shall become effective on the date specified therein; but no such regulations shall permit any person to take any female yearling or calf moose, any doe yearling or fawn deer, or any female or lamb mountain sheep except under permit for scientific, propagation, or educational purposes; or to use any dog in taking game animals; or to sell the heads, hides, or horns of any game animals, except the hides of moose, caribou, deer, and mountain goat, or black bears if and when declared to be game animals by the Secretary of Agriculture under authority of section 2 of this Act, which the regulations may permit to be sold under such restrictions as said Secretary may deem to be appropriate; or to use any shotgun larger than a number 10 gage; or to use any airplane, or steam or power launch, or any boat other than one propelled by paddle, oars, or pole, in taking game animals or game birds; or to sell any game animals, game birds, or parts thereof to the owner, master, or employee of any coastal or river steamer or commercial power or sail boat, or to procure for serving or to serve any such game animals, game birds, or parts thereof in any cannery or to the employees on any such steamer or boat; nor, except as herein provided, shall prohibit any Indian or Eskimo, prospector, or traveler to take animals or birds during the closed season when he is in absolute need of food and other food is not available, but the shipment or sale of any animals or birds or parts thereof so taken shall not be permitted, except that the hides of animals so taken may be sold within the Territory, but said Secretary by regulation may prohibit such native Indians or Eskimos, prospectors, or travelers from taking any species of animals or birds for food during the closed season in any section of the Territory within which he shall determine that the supply of such species of animals or birds is in danger of extermination; nor shall any such regulation contravene any of the provisions of the Migratory Bird Treaty Act and regulations: *Provided*, That no person shall knowingly disturb, injure, or destroy any notice, signboard, seal, boat, vessel, sled, dog, or dog team, paraphernalia, or equipment, building, or other improvement or property of the United States used by the Commission in the administration and/or enforcement of

Prohibitions.

Use of certain firearms; airplanes, boats, etc.

Sales of game, etc.

Use for food.

No contravention of migratory bird law.
40 Stat., 755.
16 U. S. C. § 703; Supp. III, ch. 7.
Proviso.
Protection of property used by Commission.

the provisions of this Act, or as a notice to the public concerning the provisions of this Act or any regulation adopted pursuant thereto, or as a marker of the boundary of any area closed to hunting, trapping, or other special use under the provisions of this Act, or to destroy, remove, tamper with, or imitate any metal seal or seals issued by the Commission and attached to any skin, portion, or specimen of a wild animal or bird or other article for purposes of identification under its authority, in accordance with the provisions of this Act or any regulations thereunder."

43 Stat., 744, 745, 746.

SEC. 5. That subdivision C, the first paragraph of subdivision H, and subdivision J, of section 11 of said Act are amended as follows:

48 U. S. C. § 199.

"SUBDIVISION C. RESIDENT HUNTING AND TRAPPING LICENSES.—That the Commission, whenever it shall deem expedient, may by regulation require residents of the Territory to procure resident hunting and trapping licenses authorizing them to take animals and birds protected by this Act, and when such licenses shall have been required of residents the fee therefor shall be as follows: For each hunting license the sum of $1 and for each trapping license the sum of $2, but no such license shall be required of native Indians and Eskimos, or of residents under the age of sixteen: *Provided*, That a licensed trapper shall be entitled to the privilege of hunting without a hunting license. After the effective date of such regulation, no resident shall take any animal or bird protected by this Act without having first procured resident hunting and trapping licenses as herein provided."

Resident hunting and trapping licenses.

Fees.

Proviso.
Hunting privileges of licensed trappers.

"SUBDIVISION H. FUR DEALERS, LICENSES, FEES.—No person shall buy or sell the skins of fur-bearing animals, or engage in, carry on, or be concerned in the business of buying, selling, or trading in the skins of fur-bearing animals protected by this Act without first having procured a license as herein provided, but no license shall be required of native Indians or Eskimos, or of cooperative stores operated exclusively by and for native Indians or Eskimos, or of stores operated by missions exclusively for native Indians or Eskimos: *Provided*, That the stores exempted from procuring licenses as herein provided shall, on or before thirty days after the expiration of each license year as specified in this Act, make a written statement to the Commission on a form prepared and furnished by it setting forth such material facts concerning the management and operation of such store as the Commission may by such form require and in addition thereto shall keep the records, make the reports, incur the penalties, and in all other respects be subject to the requirements of subdivision F of section 11 to the same extent as licensed fur dealers, or of a hunter or trapper selling the skins of such animals which he has lawfully taken, or of a person not engaged or employed in the business of trading in such skins to purchase them for his own use but not for sale."

Fur dealers, licenses, fees.

Native Indians or Eskimos, cooperative stores, etc.

Proviso.
Records and reports by exempted stores.

43 Stat., 745.
48 U. S. C. § 199.

"SUBDIVISION J. FALSE STATEMENT IN APPLICATION FOR AND ALTERATION AND EXPIRATION OF LICENSES.—That any false statement in an application for license as to citizenship, place of residence, or other material facts shall render null and void the license issued upon it. Any person who shall make any false statements in an application for a license shall be guilty of a violation of this Act and upon conviction of any such violation shall be punished as provided in section 15 hereof. No person shall alter, change, loan, or transfer to another any license issued to him in pursuance of this Act, nor shall any person other than the one to whom it is issued use such license; and each of such licenses shall expire the 30th day of June next succeeding its issuance."

False statement in application for and alteration and expiration of licenses.

43 Stat., 747.
48 U. S. C. § 202.
Penalties.

SEC. 6. That section 15 of said Act is amended to read as follows:

"SEC. 15. PENALTIES.—That unless a different or other penalty or punishment is herein specifically prescribed, a person who violates any provision of this Act, or who fails to perform any duty imposed by this Act or any order or regulation adopted pursuant to this Act, is guilty of misdemeanor and upon conviction thereof shall be fined not less than $25 nor more than $500 or be imprisoned not more than six months, or both; and, in addition thereto, any person convicted of a violation of any provision of this Act who is the holder of any form of license issued thereunder shall thereupon forfeit said license and shall surrender it upon demand of any person authorized by the Commission to receive it, and upon a second conviction he shall not be entitled to, nor shall he be granted, a license of such form for a period of one year from date of such forfeiture, and upon a third or successive conviction, for a period of five years from the date of such forfeiture; and any cooperative store operated exclusively by and for native Indians or Eskimos, or any store operated by missions exclusively for native Indians or Eskimos, without a license as provided in this Act, upon a second or third conviction for violation of this Act, shall not be entitled to engage in the business of dealing in furs for such time as the court before whom such conviction is had may decide: *Provided*, That such prohibition shall not be imposed for the first conviction, nor for a period in excess of one year from date of the second conviction, nor for a period in excess of five years from date of the third or any subsequent conviction; that all moneys from fines shall be transmitted by the clerk of the court to the executive officer to be disposed of as are other receipts of the Commission.

Forfeiture of license.

Second conviction.

Third and successive convictions.

Cooperative stores.

Proviso.
Limitations.

Disposal of moneys from fines.

"That any licensed guide who shall fail or refuse to report promptly to the Commission any violation of this Act of which he may have knowledge, shall be guilty of a violation of this Act, and, in addition thereto, shall have his license revoked and shall be ineligible to act as a licensed guide for a period of five years from the time of his conviction therefor, or, of the establishment to the satisfaction of the Commission of definite proof of such offense."

Failure of licensed guides to report violations.

Penalty.

Approved, June 25, 1938.

June 25, 1938.
[H. R. 7868.]
52 Stat., 1173.

CHAP. 687.—An Act To provide for conveying to the State of North Dakota certain lands within Burleigh County within that State for public use.

State of North Dakota.
Conveyance of lands to, for public use.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to grant and convey to the State of North Dakota, for public use, fee-simple title to the lands and improvements thereon comprising the Bismarck Indian School buildings and grounds: *Provided*, That in consideration of this conveyance the State of North Dakota shall convey to the United States in trust for such Indian tribes as may be designated at the time of conveyance by the Secretary of the Interior, lands (and improvements thereon, if any) situated convenient to existing Indian reservations and suitable for agricultural and stockraising purposes: *Provided further*, That the land and improvements conveyed to the United States shall in value be equal to the value of the property conveyed by the United States to the State of North Dakota: *And provided further*, That the conveyance by the United States to the State of North Dakota shall protect existing easements or rights-of-way across the Indian school property.

Provisos.
Conveyance of lands to United States in trust.

Value of property conveyed.

Protection of existing easements, etc., across Indian school property.

Appraisal.

SEC. 2. Prior to the conveyance of any land or improvements, as herein authorized, the Secretary of the Interior shall cause an appraisal thereof to be made by an appraisal committee consisting of a representative of the Commissioner of Indian Affairs, a representative of the General Land Office, and a third person satisfactory to the Secretary of the Interior, to be appointed by the Governor of the State of North Dakota.

Approved, June 25, 1938.

June 25, 1938.
[S. 3346.]
52 Stat., 1207.

CHAP. 710.—An Act Authorizing the Secretary of the Interior to pay salaries and expenses of the chairman, secretary, and interpreter of the Klamath General Council, members of the Klamath Business Committee and other committees appointed by said Klamath General Council, and official delegates of the Klamath Tribe

Klamath Indians.
Payment of designated salaries and expenses out of tribal funds, authorized.

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, or such official as may be designated by him, is hereby authorized beginning as of July 1, 1937, and until otherwise directed by Congress, to pay out of any unobligated tribal funds of the Klamath Indians in the Treasury of the United States the following salaries and expenses:

Klamath General Council.
Klamath Business Committee, etc.; exception.

To the chairman, secretary, and interpreter of the Klamath General Council and members of the Klamath Business Committee or other committees appointed by the general council (except the Klamath Reimbursable Loan Fund Board), when engaged on business of the tribe, a salary of not to exceed $5 per day and a per diem of not to exceed $3 in lieu of subsistence and all other expenses; to such official delegates of the Klamath Tribe who may carry on the business of the tribe at the seat of government a salary of not to exceed $5 per day and a per diem of $5 in lieu of subsistence and all other expenses: *Provided*, That the rate of salary and per diem paid shall be fixed in advance by the general council of said tribe or by the business committee of the said tribe if authorized by said general council: *Provided further*, That the official delegates of the tribe carrying on said business at the seat of government shall also receive the usual railroad and sleeping-car transportation to and from the seat of government: *Provided further*, That the aforesaid salaries and expenses shall not exceed $7,500 per annum: *Provided further*, That the length of stay of the official delegates at the seat of government shall be determined by the Commissioner of Indian Affairs.

Provisos.
Salary, etc., rates to be fixed in advance.

Transportation to and from seat of government.
Limitation.

Length of stay at seat of government.

Approved, June 25, 1938.

June 28, 1938.
[H. R. 3162.]
52 Stat., 1209.

CHAP. 776.—An Act Conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians or any Tribe or Band thereof may have against the United States, and for other purposes

Ute Indians.
Jurisdiction conferred on Court of Claims to hear, etc., claims of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred on the United States Court of Claims to hear, determine, and render final judgment on all legal and equitable claims of whatsoever nature which the Ute Indians or any tribe or band or any constitutent [1] band thereof, may have against the United States, including, but without limiting the generality of the foregoing, claims arising under or growing out of any treaty or agreement of the United

[1] So in original.

States, law of Congress, Executive order, or by reason of any lands taken from them, without compensation, or for the failure or refusal of the United States to protect the interest of any of said bands in lands (as to which any of said bands had the possessory right of use and occupancy), or because of any mismanagement or wrongful handling of any of the funds, land, property, or business enterprises belonging to or held in trust for any of said bands by the United States, or any misfeasance or nonfeasance on the part of the United States with respect thereto, or otherwise.

Presentation of claims.

SEC. 2. Suit or suits under this Act may be instituted by any of the aforesaid bands of Indians (each band to have the right to sue for constituent bands comprising said band), either separately or jointly, as party or parties plaintiff against the United States as party defendant; by filing within five years of the enactment of this Act its or their petition or petitions in the Court of Claims and serving with respect to each suit, a copy thereof on the Attorney General of the United States who, either in person or by some attorney from the Department of Justice to be designated by him, shall appear and defend the interests of the United States. Such petition or petitions shall set forth the facts on which the claim or claims for recovery is or are based and shall be verified by the attorney or attorneys employed by said band or bands of Ute Indians, under contracts approved in accordance with existing law, to prosecute said claims, which may be made upon information and belief, and no other verification shall be necessary. The petition or petitions shall be subject to amendment at any time prior to final submission of the case to the Court of Claims. Such petition or petitions may, in addition to alleging specific claims, demand a general accounting of all funds and property expended or used by the United States for it or their account, in which event the General Accounting Office or its successor shall within a reasonable time from the time of filing said petition make a complete audit of said accounts and, in addition to the usual copies for the Attorney General, shall deliver a copy thereof to the Secretary of the Interior, and the court, after full hearing, shall state the account, and render judgment in accordance therewith.

Time limitation for filing petition.

Service on Attorney General.

Amendments to petition.

Audit of accounts.

Principles of law applicable.

SEC. 3. At the trial of any suit instituted hereunder the court shall apply as respects the United States the same principles of law as would be applied to an ordinary fiduciary and shall settle and determine the rights therein, both legal and equitable, of said bands of Ute Indians against the United States, notwithstanding lapse of time or statutes of limitation. In the determination of the validity of any claim asserted or defense interposed hereunder, the Court shall have the full power and authority of a court of equity.

Joining of other Indians to suit.

SEC. 4. The court shall have authority, by proper orders and process, to make parties to any suit or suits instituted hereunder any other tribe, band, or group of Indians deemed by it necessary or proper to a final determination of the matters in controversy.

Set-offs, etc.

SEC. 5. No payment or payments which have been made by the United States upon or in satisfaction of any claim or claims asserted in any suit brought hereunder or expended for any of the aforesaid bands of Ute Indians or members thereof shall apply as an estoppel against any suit brought hereunder, but there shall be set off against any recovery obtained by any band of said Indians hereunder, any payment made by the United States on any claim asserted by said band and such gratuity expenditures made by the United States for the benefit of said band as are directced to be set off by the Second

Deficiency Appropriation Act, fiscal year 1935 (Public, Numbered 270,[1] Seventy-fourth Congress).

49 Stat., 584; ante, 438.

If court finds lands taken without compensation.

SEC. 6. If the court shall find that any lands formerly belonging to the said bands of Ute Indians or any of them, have been taken by the United States without compensation therefor and set apart and reserved as national reservations or for other public uses or otherwise classified, reserved, or withdrawn from entry and sale under the public land laws or disposed of in any manner whereby the said Indians have been deprived of the use or benefits of such lands and the natural resources thereof, it is hereby declared that such action shall be sufficient grounds for equitable relief and the court shall render judgment in favor of said Indians, and shall award to them, as for a taking under the power of eminent domain, compensation for all such lands and natural resources, anything in any other Acts of Congress to the contrary notwithstanding, no lands in Colorado north of and including range 35 formerly owned or claimed by the Ute Indians or any band thereof shall be restored to tribal ownership under the provisions of section 3 of the Act of June 18, 1934 (48 Stat. 984), and said lands to the extent that they have not been disposed of by the United States are hereby declared to be the absolute property of the United States: *Provided*, That there is hereby added to the existing Southern Ute Indian Reservation in tribal ownership of the vacant, undisposed of ceded lands within the following described boundaries:

Certain lands in Colorado not to be restored to tribal ownership.

48 Stat., 984; ante, 378.

Provisos.
Additions to Southern Ute Reservation.

Description.

Beginning at a point on the western boundary line of the State of Colorado, being the northwest corner of the existing Southern Ute Indian Reservation; thence north to the township line separating townships 34 and 35 north, range 20 west; thence east along said township line to the southwest corner of section 35, township 35 north, range 19 west; thence north to the northwest corner of section 2, township 35 north, range 19 west; thence east to the northeast corner of section 1, township 35 north, range 18 west; thence north to the northwest corner of section 31, township 36 north, range 17 west; thence east to the northeast corner of section 35, township 36 north, range 17 west; thence south to the north boundary of the existing Southern Ute Indian Reservation; thence west along the north boundary of the said reservation to the west line of section 9, township 34 north, range 17 west; thence north to the northwest corner of section 21, township 35 north, range 17 west; thence west to the southwest corner of section 17, township 35 north, range 17 west; thence south to the southeast corner of the northeast quarter of the northeast quarter of section 19, township 35 north, range 17 west; thence west to the southwest corner of the northeast quarter of the northwest quarter of said section 19; thence north to the north line of said section 19; thence west to the southwest corner of section 17, township 35 north, range 18 west; thence south to the north boundary of the Southern Ute Indian Reservation in section 7, township 34 north, range 18, all west of the New Mexico principal meridian; thence west along the said north boundary to the point of beginning: *Provided further*, That any orders restoring or attempting to restore to tribal ownership any portion of the lands in Colorado north of range 35 are hereby rescinded and annulled.

Orders restoring, etc., certain Colorado lands rescinded.

Admissible evidence.

SEC. 7. In any suit instituted hereunder, any letter, paper, document, map, or record in the possession of any officer or department of the United States (or certified copy thereof) may be used in evidence,

[1] So in original.

and the departments of the Government of the United States shall give full and free access to the attorneys for any of said bands of Indians to such letters, papers, documents, or records as may be useful to said attorney or attorneys in the preparation for trial or trials of such suits and shall afford facilities for the examination of the same.

Attorneys' fees.

SEC. 8. Upon the final determination of any suit, cause, or action instituted hereunder, whether by judgment, compromise, or otherwise, the Court of Claims, in the event of success by any plaintiff, or in the event any claim asserted by any of said bands of Indians shall be compromised or settled without the institution of any suit hereunder, the Secretary of the Interior shall decree that there shall be paid to the attorney or attorneys employed therein by said plaintiff under contracts negotiated or entered into as provided by existing law, such fees as, based upon a quantum meruit, it or he shall find reasonable, and in addition such actual and necessary expenses incurred by the attorney or attorneys in preparation and prosecution of said claims. In no case shall the fees decreed by said Court of Claims and/or by the Secretary of the Interior be in excess of the amount stipulated in the contracts approved by the Commissioner of Indian Affairs and the Secretary of the Interior, and in no event to exceed 10 per centum of the amount of the recovery, and shall be paid upon money being appropriated for the benefit of any bands of Ute Indians pursuant to any judgment or settlement hereunder whether distributable thereto or not.

Limitation.

Deposit of amounts recovered to credit of Indians; interest, use, etc.

SEC. 9. The net amount of any judgment recovered shall be placed in the Treasury of the United States to the credit of said Indians and shall draw interest at the rate of 4 per centum per annum from date of judgment or settlement and shall, thereafter, be subject to appropriation by Congress for the benefit of said Indians, including the purchase of lands and building homes, and no part of said judgment, without further legislation, shall be paid out in per-capita payments to said Indians.

Approved, June 28, 1938.

June 28, 1938.
[H. R. 4540.]
52 Stat., 1212.

CHAP. 777.—An Act Authorizing the Red Lake Band of Chippewa Indians in the State of Minnesota to file suit in the Court of Claims, and for other purposes

Red Lake Band of Chippewa Indians, Minn.
Jurisdiction conferred upon Court of Claims to hear, etc., claims of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the Court of Claims, to hear, determine, and render final judgment, according to principles of justice and equity and as upon a full and fair arbitration, on all claims of the Rad Lake Band of Chippewa Indians in the State of Minnesota against the United States for the value of unceded lands, for losses sustained by reason of erroneous surveys of reservation boundaries, or on claims arising under the treaty of October 2, 1863 (13 Stat. 667), or under any treaty, agreement, Executive order, or Act of Congress, except the Act of January 14, 1889 (25 Stat. 642), with the right of appeal by either party to the Supreme Court of the United States, anything in the Judicial Code of the United States to the contrary notwithstanding for the determination of the amount, if any, which may be legally or equitably due the said Red Lake Band of Chippewa Indians, under any treaties or agreements entered into between said Indians and the United States, or for the failure of the United States to pay any money which may be legally or equitably due the said Red Lake Band of Indians: *Provided*, That in any suit filed under the provisions of this Act, in which there is presented any claim against the United States for the appropriation, expropriation, taking, acquisition, or depriva-

13 Stat., 667, vol. 2, 853.

25 Stat., 642, vol. 1, 301.
Right of appeal.

Proviso.
Claims limited to designated provisions.

tion of land or any interest therein the jurisdiction hereby conferred to hear and determine any such claim is limited to the determination of the value of said land, the timber thereon, or any interest therein, at the time of the appropriation, expropriation, taking, acquisition, or deprivation, and no judgment shall be rendered by the Court of Claims which includes any increment, interest, or equivalent thereof, from the date of taking to the date of judgment, as an element of just compensation or otherwise.

Determination without regard to statutes of limitation, etc.

SEC. 2. In any suit or suits instituted hereunder the Court of Claims shall have authority to determine and adjudge the rights, both legal and equitable, of the claimants in the premises, notwithstanding lapse of time or statutes of limitation.

Counter claims.

SEC. 3. The court shall also hear, examine, consider, and adjudicate any claim or claims which the United States may have against the said Red Lake Band, properly chargeable in such suit, including gratuities not heretofore charged; but any payment or payments which have been made by the United States upon such claim or claims shall not operate as an estoppel, but may be pleaded by way of set-off; and any other tribe or band of Indians which the court may deem necessary to a final determination of any suit hereunder may be joined therein as the court shall order.

Amendments to petition.

SEC. 4. A petition or petitions may be filed hereunder in the Court of Claims within five years after the date of this Act which shall be subject to amendment at any time prior to final submission of the case to the Court of Claims; and the Red Lake Band of Chippewa Indians in the State of Minnesota shall be the party plaintiff, and the United States the party defendant. The petition or petitions may be verified by the attorney employed by the said Indians to prosecute their claims, under a contract approved by the Commissioner of Indian Affairs and the Secretary of the Interior, as provided by law, and no other verification shall be necessary.

Verification.

Attorneys' fees and expenses.

SEC. 5. Upon final determination of any suit hereunder the Court of Claims shall decree such fees and expenses as the court shall find to be reasonably due to be paid to the attorney or attorneys employed by the said Indians, under contract in accordance with existing law, and the same shall be paid out of any sum or sums of money found due said Red Lake Band: *Provided*, That in no case shall the fees decreed be in excess of 10 per centum of the amount of the judgment.

Proviso. Limitation.

Approved, June 28, 1938.[1]

CHAP. 779.—An Act To authorize the sale of certain lands of the Eastern Band of Cherokee Indians, North Carolina

June 28, 1938. [H. R. 7515.] 52 Stat., 1213.

Eastern Band of Cherokee Indians, N. C. Sale of certain lands authorized.

Be it enacted by the Senate and House of Representatives of the United State of America in Congress assembled, That the Secretary of the Interior is hereby authorized, in his discretion, with the approval of the Eastern Band of Cherokee Indians expressed through its duly constituted tribal authorities or by a majority vote of the qualified members of the said band voting at an election called by the Secretary of the Interior in which at least 30 per centum of those entitled to vote shall vote, to sell and to convey to the purchasers any lands held by the United States in trust for the Eastern Band of Cherokee Indians lying outside of the Qualla boundary: *Provided*, That a separate approval by the Indians as herein provided must be had as to each tract proposed to be sold. Funds received from sales herein authorized shall be deposited in the Treasury to the credit of the Eastern Band of

Proviso. Separate approval by Indians as to each tract. Deposit of funds received to credit of Indians; use of.

[1] 307 U. S., 1; 87 Ct. Cls. 1; 88 Ct. Cls. 1; Ct. Cls. Docket No. 45148.

Cherokee Indians and shall be available for future appropriation for such purposes as the tribal council may approve, including the purchase of other lands for said Indians. Title to any land purchased under this authority shall be taken in the name of the United States of America in trust for the Eastern Band of Cherokee Indians. Any lands so purchased shall have the same status as other tribal lands of the said Eastern Band of Cherokee Indians.

Status of lands purchased.

Approved, June 28, 1938.

June 29, 1938.
[S. 3283.]
52 Stat., 1243.

CHAP. 814.—An Act To authorize the Secretary of the Interior to place certain records of Indian tribes of Nebraska with the Nebraska State Historical Society, at Lincoln, Nebraska, under rules and regulations to be prescribed by him

Nebraska State Historical Society.
Deposit of certain records of Indian tribes.

Be it enacted by the Senate and House of Representatives of the United State of America in Congress assembled, That the Secretary of the Interior is authorized, in his discretion and under such rules and regulations as he may prescribe, to place any records of Indian tribes which are within the confines of the State of Nebraska and which are not desired for tribal or official use with the Nebraska State Historical Society, at Lincoln, Nebraska. The historical society shall receive the custody of such records and matters of historical interest as custodian for the United States of America and the Secretary of the Interior, and upon the request of said Secretary any of such records so placed with the said Nebraska State Historical Society shall be immediately returned to the Government official designated by him to receive the same.

Validity of certified copies of such records.

Copies of any such records or papers in the possession and custody of the said Nebraska State Historical Society when certified to by the secretary or chief clerk thereof (or in case of a vacancy in such office or position, then by the person acting in such capacity), under its seal, shall be evidence equally with the original, and in making such certified copies such secretary or chief clerk or such person acting in such capacity shall be acting as a Federal agent, and such certified copies shall have the same force and effect as those made by the Secretary of the Interior under seal of his office to records in his immediate custody.

Copies to be furnished Government without cost.

Whenever certified copies of such Indian records are desired by the Government for use by it, they shall be furnished without cost.

Approved, June 29, 1938.

PRIVATE ACTS OF THE SEVENTY-FIFTH CONGRESS, THIRD SESSION, 1938

April 6, 1938.
[H. R. 1233.]
52 Stat., 1274.

CHAP. 89.—An Act For the relief of employees of the Indian Service for destruction by fire of personally-owned property in Government quarters at the Pierre Indian School, South Dakota

Pierre Indian School, S. Dak.
Reimbursement of designated employees of, for fire damages.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the following-named employees of the Pierre Indian School, South Dakota, or their heirs, for losses sustained through destruction by fire of the Government building in which they were assigned quarters, the fire having occurred on July 10, 1936, sums as follows: Getlow Kalberg, $1,601.36; Thurman Shaffer, $159.30; Mildred Shaffer, $279.46; Ethel Cotter, $244.81; Bertha Hitchcock, $1,287.56; Charles Walker, $43.01; Thomas Saul, $106.42; Mrs. Oren Cason, $713.25; Mildred

Sully, $249.56; Cecelia Sully (now Mrs. K. Barry), $181.65; L. D. McGhee, $375. Said sums shall be in full settlement of all claims against the United States for damages sustained as a result of this fire: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 6, 1938.

CHAP. 154.—An Act For the relief of Frank Christy and other disbursing agents in the Indian Service of the United States

April 13, 1938. [H. R. 6232.] 52 Stat., 1298.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of Frank Christy, Superintendant and special disbursing agent of the Tomah Indian School, at Tomah, Wisconsin, and to allow credit in the accounts of other disbursing agents of the United States for expenditures made during the fiscal years 1935, 1936, and 1937 from the appropriation "Indian schools, support" for boarding-home care and other special services for Indian children attending private or public schools under authorities issued by the Commissioner of Indian Affairs.

Indian Service. Frank Christy and other disbursing agents. Credit in accounts.

48 Stat., 371; ante, 350. 49 Stat., 189, 1772; ante, 414, 482.

Approved, April 13, 1938.

CHAP. 164.—An Act For the relief of Nelson W. Apple, George Marsh, and Camille Carmignani

April 15, 1938. [S. 2138.] 52 Stat., 1298.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Nelson W. Apple, Gallup, New Mexico, the sum of $1,000, to George Marsh, Gallup, New Mexico, the sum of $5,000, and to Camille Carmignani, Gallup, New Mexico, the sum of $5,000, in full settlement of all claims against the United States for personal injuries sustained by Nelson W. Apple and George Marsh, and for the death of George Carmignani, son of Camille Carmignani, sustained on the night of September 26, 1936, when the automobile in which they were riding ran into the rear of a truck, with trailer attached, of the Office of Indian Affairs, Interior Department which was parked without proper warning signals on the highway about ten miles east of Gallup, New Mexico: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Nelson W. Apple and others. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 15, 1938.

April 15, 1938.
[S. 3464.]
52 Stat., 1299.

CHAP. 166.—An Act To extend the Metlakahtla Indians' Citizenship Act

Charles A. Ryan.
Citizenship granted to.
48 Stat., 667; ante, 366.
8 U. S. C. §§ 3b, 3c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the benefits of the Act approved May 7, 1934, entitled "An Act granting citizenship to the Metlakahtla Indians of Alaska" (48 Stat. 667), are hereby extended to Charles A. Ryan, an Indian of the Tsimshian Tribe, born in British Columbia, Canada, who is now a bona fide permanent resident of Metlakahtla, in the Annette Islands Reserve, Alaska, and who is a member of the Metlakahtlan Community.

Approved, April 15, 1938.

May 16, 1938.
[H. R. 7443.]
52 Stat., 1308.

CHAP. 221.—An Act For the relief of Wilson H. Parks, Elsa Parks, and Jessie M. Parks

Wilson H. Parks, Elsa Parks, and Jessie M. Parks.
Payments to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Wilson H. Parks the sum of $750, to Elsa Parks the sum of $250, and to Jessie M. Parks the sum of $1,000, all of Hay Springs, Nebraska, in full satisfaction of their claims against the United States for property damage and personal injuries resulting when the wagon in which they were riding was struck by an Indian Service automobile operated by a Home Extension Agent, on the Pine Ridge-Chadron Road, Sheridan County, Nebraska, June 8, 1934; and the Secretary of the Interior is hereby authorized and directed to cancel the hospital charges of $258 against Jessie M. Parks for hospitalization in the Pine Ridge Hospital, an Indian Service hospital, on account of said accident: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Hospital charge against Jessie M. Parks canceled.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 16, 1938.

June 15, 1938.
[S. 3111.]
52 Stat., 1334.

CHAP. 414.—An Act For the relief of the estate of Lillie Liston, and Mr. and Mrs. B. W. Trent

Lillie Liston.
Payment to estate of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jeff G. Liston, of Roswell, New Mexico, as administrator of the estate of Lillie Liston, late of Roswell, New Mexico, the sum of $5,000 in full satisfaction of all claims of such estate against the United States for damages resulting from the death of the said Lillie Liston in a collision between the truck in which she was riding, owned and operated by B. W. Trent, of Roswell, New Mexico, and an Indian Service truck operated by Nathan Head, an employee of the Mescalero Apache Indian Agency, such collision having occurred at a point on the highway between Alamogordo, New Mexico, and El Paso, Texas, about six and one-half miles north of Oro Grande, New Mexico, on August 11, 1937.

Mr. and Mrs. B. W. Trent.
Payment to.

SEC. 2. That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. B. W. Trent, of Roswell, New Mexico, the sum of $1,600 in full satisfaction of all their claims against the United States for damages resulting from property damage and personal injuries sustained by them when their truck, operated by the said B. W. Trent, was struck by an Indian Service truck operated by Nathan Head, an employee of the Mescalero Apache Indian Agency, at a point on the highway between Alamogordo, New Mexico, and El Paso, Texas, about six and one-half miles north of Oro Grande, New Mexico, on August 11, 1937: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with such claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with such claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 15, 1938.

CHAP. 452.—An Act For the relief of the Long Bell Lumber Company

June 15, 1938.
[H. R. 8193.]
52 Stat., 1349.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Long Bell Lumber Company, of Ponca City, Oklahoma, the sum of $177.10 in full settlement of all claims against the United States for losses incurred in delivering certain material used in fencing the Kaw City Cemetery at Washunga, Oklahoma, under the jurisdiction of the Pawnee Indian Agency: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Long Bell Lumber Company.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 15, 1938.

CHAP. 502.—An Act For the relief of Filomeno Jiminez and Felicitas Dominguez

June 16, 1938.
[H. R. 9200.]
52 Stat., 1353.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Filomeno Jiminez the sum of $150 and to Felicitas Domingues the sum of $900 in full satisfaction of their claims against the United States to land within the Nambe Indian Reservation, New Mexico, title to which is in the United States although the lands have been occupied by claimants and their predecessors for more than sixty years: *Provided*, That no payment shall be made hereunder until the Secretary of the Interior shall have certified that said Filomeno Jiminez and Felicitas Dominguez have entered into an agreement satisfactory to him to vacate the

Filomeno Jiminez and Felicitas Dominguez.
Payments to.

Provisos.
Condition.

said lands within a specified period after payment shall have been made: *Provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 16, 1938.

June 16, 1938.
[H. R. 7817.]
52 Stat., 1355.

CHAP. 507.—An Act For the relief of C. G. Bretting Manufacturing Company

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,536.66 to the C. G. Bretting Manufacturing Company, of Ashland, Wisconsin, in full satisfaction of its claim against the United States for building a hoist, and for labor, repairs, and materials furnished from April 14 to June 27, 1935, for use of the Bad River sawmill and house project under the jurisdiction of the Lac du Flambeau Indian Agency, Ashland, Wisconsin, which were procured without compliance with sections 3709 and 3744 of the United States Revised Statutes requiring a written contract with the lowest bidder for performance of such work: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

C. G. Bretting Manufacturing Company. Payment to.

R. S. §§ 3709, 3744. 41 U. S. C. §§ 5, 16.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 16, 1938.

June 20, 1938.
[S. 3561.]
52 Stat., 1363.

CHAP. 547.—An Act For the relief of certain individuals in connection with the construction, operation, and maintenance of the Fort Hall Indian irrigation project, Idaho

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury, upon receipt of advice from the Secretary of the Interior to the effect that appropriate and properly executed easements have been obtained, be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to the following individuals or their heirs, an amount not exceeding the amounts herein specified: Arthur C. Swanson, $5,750; Thomas W. Cully, $3,743; Walter H. Lewis, $2,500; Dora Winschell, $3,040; Leona Gordon, $358; Calvin W. Billingsley, $800; Richard Torgensen, $120; John O. Wallace, $80; Charles Lau, $85; Joseph E. Lau, $133; Celia E. Bump, $99; Jesse H. Dredge, $1,450; C. E. and Leonard R. Stedman, $47; Roy J. Dygert, $132; Cora M. Lewis, $650; Fred Smola, $1,829; J. S. Bowker and J. L. Wilson, $45; L. E. Winschell, $20; James R. Moore, $473; W. James Chester, $100; Leonard Gerking, $1,503; F. N. Merrill, $200; Walter J. Hogan, $100; Fern J. Condie, $500; Wright Brothers, $5,000; W. R. Larkin, $1,300; F. C. Christensen, $3,000; in all not to exceed $33,057: *Provided*, That the foregoing amounts shall be in full settlement for any and all past and present damages

Fort Hall Indian irrigation project, Idaho. Payment of designated claims.

Provisos. Amounts to be in full settlement.

to the lands or personal property of the above-named individuals in connection with the construction, operation, and maintenance of the Blackfoot Reservoir, Gray's Lake, and the conveyance channel from Gray's Lake to the Blackfoot Reservoir of the Fort Hall Indian irrigation project, Idaho, and in full payment for easements obtained from said individuals covering the right to flood, impound, withdraw at will, water on, over, and from all lands owned, claimed, or possessed by said individuals in connection with the future operation of said project; and the acceptance of said sums by the individuals and their heirs shall act as a quittance of any and all rights or claims that may previously have existed against the United States by reason of such construction and operation of the said project: *Provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid, or delivered to, or received by any agent, or agents, attorney, or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not exceeding $1,000.

Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 20, 1938.

CHAP. 621.—An Act For the relief of Moses Red Bird

June 23, 1938.
[H. R. 6186.]
52 Stat., 1382.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Moses Red Bird, of Dupree, South Dakota, the sum of $150, in full settlement of all claims against the United States on account of the loss of two horses which were drowned on October 20, 1934, while working on an Emergency Conservation Works dam on Beaver Creek in the Thunder Butte District, Cheyenne River Indian reservation, South Dakota: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Moses Red Bird.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 23, 1938.

CHAP. 656.—An Act For the relief of William C. Willahan

June 25, 1938.
[S. 3830.]
52 Stat., 1395.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of William C. Willahan, as superintendent and special disbursing agent at the Sisseton Indian Agency, Sisseton, South Dakota, in the amount of $3,384.28 representing disallowances in the accounts of William C. Willahan because of the embezzlement of funds by a subordinate employee.

William C. Willahan.
Credit in accounts.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay to William C. Willahan the sum of $421.65, repre-

Payment of amount withheld.

senting amounts withheld from him in the settlement of charges made against his accounts by reason of disallowances in settlement numbered F–24532–IN, dated July 14, 1934.

Reimbursement for sum deposited.

SEC. 3. The Secretary of the Treasury is hereby authorized and directed to pay to William C. Willahan not to exceed the sum of $292.89, which amount is alleged to have been deposited in the Treasury from personal funds by the said William C. Willahan to replace losses of Federal funds and the overpayment of an employee's salary: *Provided*, That before any payment is made under this section the said William C. Willahan shall furnish to the Secretary of the Interior authenticated records of the actual deposits alleged to have been made, and any other supporting information that may be required by the said Secretary of the Interior.

Proviso. Condition.

William C. Smith. Credit to official trust fund account of.

SEC. 4. The Secretary of the Treasury is hereby authorized and directed to credit the official trust fund account of William C. Smith, superintendent of the Sisseton Indian Agency, with the sum of $140.69, of which the sum of $120.69 will thereafter be deposited to the credit of the United States in lieu of repayments by sundry Indians on account of sales of reimbursable property, and the sum of $20 will be credited on the books of the Sisseton Indian Agency as individual Indian money for the use and benefit of the estate of Wlynkpawin, deceased Sisseton Indian.

Approved, June 25, 1938.

June 25, 1938. [S. 3057.]
52 Stat., 1408.

CHAP. 721.—An Act For the relief of John Fanning

John Fanning. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John Fanning, of Tucson, Arizona, the sum of $2,000 in full satisfaction of his claim against the United States arising out of property damage and personal injuries suffered when the automobile he was driving was struck by a truck driven by an employee of the Indian Service, Interior Department, on United States Highway Numbered 66, near Flagstaff, Arizona, on May 30, 1936: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 25, 1938.

June 25, 1938. [S. 3817.]
52 Stat., 1412.

CHAP. 732.—An Act For the relief of John Haslam

John Haslam. Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John Haslam, Fort Totten, North Dakota, the sum of $403.89. The payment of such sum shall be in full settlement of all claims of the

said John Haslam against the United States for reimbursement for caskets, furnished by him at the request of officers of the United States, for the burial of certain Indians: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 25, 1938.

CHAP. 746.—An Act For the relief of William F. Bourland

June 25, 1938. [H. R. 6461.] 52 Stat., 1418.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to pay, out of any funds in the United States Treasury belonging to the Chickasaw Nation not otherwise appropriated, the sum of $1,000 to William F. Bourland in full payment for services as a delegate of said nation to Washington from January 1 to June 20, 1910, inclusive.

William F. Bourland. Payment to.

Approved, June 25, 1938.

CHAP. 833.—An Act For the relief of William Monroe

June 29, 1938. [H. R. 9133.] 52 Stat., 1437.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William Monroe, of Mellette County, South Dakota, the sum of $100, in full satisfaction of his claim against the United States for loss of a horse which had been used by employees on an Indian Emergency Conservation Work project of the Rosebud Indian Agency, South Dakota, to pull a truck, on October 26, 1936, and which died shortly after such use: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

William Monroe. Payment to.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 29, 1938.

CHAP. 834.—An Act For the relief of Emons Wolfer

June 29, 1938. [H. R. 9135.] 52 Stat., 1438.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Emons Wolfer, of McLaughlin, South Dakota, the sum of $4,500, in full settlement of all claims against the United States for personal injury sustained by him when the truck he was driving was struck, on August 17, 1935, by an Indian Service truck of the Interior Department, driven by an Emergency Conservation Work employee, on a highway in the Standing Rock Indian Reservation, between

Emons Wolfer. Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Selfridge and Fort Yates, Sioux County, North Dakota: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Penalty for violation.

Approved, June 29, 1938.

ADDENDA TO LAWS

Volume IV, page 932, insert:

[Sixty-ninth Congress, Sess. II, Ch. 138—1927.]

February 14, 1927.
[S. 5197.]
44 Stat., 1098.

CHAP. 138.—An Act To authorize an appropriation for reconnaissance work in conjunction with the Middle Rio Grande Conservancy District to determine whether certain lands of the Cochiti, Santo Domingo, San Felipe, Santa Ana, Sandia, and Isleta Indians are susceptible of reclamation, drainage, and irrigation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $50,000, or so much thereof as may be necessary, to provide for reconnaissance work on the lands of the Cochiti, Santo Domingo, San Felipe, Santa Ana, Sandia, and Isleta Indians, or so much thereof as may be susceptible of irrigation, lying within the exterior boundaries of the Middle Rio Grande Conservancy District, a political subdivision of the State of New Mexico, but not subject to district assessments, and to enable the Secretary of the Interior to provide for surveys, examinations, and the preparation of plans and specifications, for the reclamation, drainage, and irrigation of said lands and conservation of waters appurtenant thereto, in cooperation with said Middle Rio Grande Conservancy District, said money to be paid from time to time as said work proceeds, such payments, including the salary and expenses of the engineer hereinafter referred to, to be made in proportion to the expenditures heretofore or hereafter made by the district in the ratio that the area of the Indian lands bears to the other lands to be benefited, such expenditures to be subject to the approval of the Secretary of the Interior and to be made under such rules and regulations as may be prescribed by the Secretary of the Interior: *Provided*, That said Secretary, through the Commissioner of Indian Affairs, shall designate an engineer, who shall represent the department in the preparation of said plans and report thereon, and whose salary and expenses shall be paid out of the funds herein authorized to be appropriated: *Provided further*, That said sum or any part thereof that may be expended for this reconnaissance work shall be reimbursable by said Indian lands if and when the participation by the United States in construction of said project is approved by the United States, such reimbursement to be in accordance with the terms of the Act of Congress approving such participation: *Provided further*, That the Secretary of the Interior shall report to Congress the results of said reconnaissance work and his recommendations thereon.

Middle Rio Grande Conservancy District, N. Mex.
Surveys, etc., to determine if lands of Cochiti, etc., Indians on, can be irrigated, etc.

Cooperation with Conservancy District.

Provisos.
Engineer for the department to be designated.

Reimbursement from Indian lands.

Report to Congress.

Approved, February 14, 1927.

Volume IV, page 909, insert:

[Sixty-ninth Congress, Sess. I, Chap. 854, 1926.]

CHAP. 854.—An Act for the relief of Archie Eggleston, an Indian of the former Isabella Reservation, Michigan

July 3, 1926.
[H. R. 4414.]
44 Stat., 1747.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is authorized to be appropriated the sum of $2,000, or so much thereof as may be necessary, from any funds in the United States Treasury not otherwise appropriated, to enable the Secretary of the Interior to purchase for the use of Archie Eggleston, of Isabella County, Michigan, a tract of land not to exceed forty acres, in full compensation to said Eggleston for the tract allotted and patented to his deceased father, Daniel Joseph Eggleston, pursuant to the treaty of October 18, 1864 (Fourteenth Statutes at Large, 657), which tract was awarded to Allen Hart by decree of the court October 29, 1925, in the District Court of the United States for the Eastern District of Michigan, Northern Division, in equity Case No. 60: *Provided*, That the title be acquired by Archie Eggleston for any land that may be purchased for his benefit under authority of this Act shall be of the form prescribed by the treaty of October 18, 1864, supra, and contain restrictions against alienation unless with the consent of the Secretary of the Interior.

Archie Eggleston.
Purchase of land for, in lieu of Indian allotment to deceased father.

14 Stat., 657, vol. 2, 868.

Proviso.
Form, etc., of title.

Approved, July 3, 1926.

Volume IV, page 281, insert:

[Sixty-sixth Congress, second session, Chap. 285, 1920.]

CHAP. 285.—An Act To create a Federal Power Commission; to provide for the improvement of navigation; the development of water power; the use of the public lands in relation thereto, and to repeal section 18 of the River and Harbor Appropriation Act, approved August 8, 1917, and for other purposes.

June 10, 1920.
(H. R. 3184.)
41 Stat., 1063.

* * * * * * *

SEC. 17. That all proceeds from any Indian reservation shall be placed to the credit of the Indians of such reservation.

Proceeds from Indian lands.

* * * * * * *

Approved June 10, 1920.

Volume V, page 180, insert:

[Seventy-first Congress, 2d Sess., Ch. 593, 1930]

CHAP. 593.—An Act To amend the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes.

June 24, 1930.
[S. 3258.]
46 Stat., 805.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Highway Act, approved November 9, 1921 (Forty-second Statutes at Large, page 212), as amended or supplemented, be further amended by amending the second paragraph of section 3 of said Federal Highway Act to read as follows:

Federal Highway Act.
42 Stat., p. 212, amended.

"The Secretary of Agriculture is authorized to cooperate with the State highway departments and with the Department of the Interior, in the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable

Cooperative road construction, etc., through Federal reservations.

Sums authorized to be apportioned among States.

Indian lands, or other Federal reservations other than the forest reservations. Such sums as the Congress may hereafter authorize to be appropriated under the provisions of this section shall be apportioned among those States having more than 5 per centum of their area in the lands hereinbefore described and shall be prorated and apportioned to said States in the proportion that said lands in each of said States is to the total area of said lands in the States eligible under the provisions of this section, and no contribution from the States shall be required in the expenditure thereof: *Provided*, That in the allocation of any such funds authorized to be appropriated under this section or any subsequent Act preference shall be given to those projects which are located on the Federal-aid highway system as the same are now or may hereafter be designated.

Proviso. Preference to projects on Federal-aid highway system.

Map published annually to show progress.

"The Secretary of Agriculture shall prepare, publish, and distribute a map and other information, at least annually, showing the progress made in the expenditures of the funds authorized under this section."

Conflicting laws repealed.

SEC. 2. All Acts or parts of Acts in any way inconsistent with the provisions of this Act are hereby repealed, and this Act shall take effect on its passage.

Approved, June 24, 1930.

Volume V, page 296, insert:

[72d Congress. Sess. I. Ch. 520. July 21, 1932.]

July 21, 1932. [H. R. 9462.]
47 Stat., 717.

CHAP. 520. AN ACT To relieve destitution, to broaden the lending powers of the Reconstruction Finance Corporation, and to create employment by providing for and expediting a public-works program

Emergency Relief and Construction Act of 1932.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Emergency Relief and Construction Act of 1932."

* * * * * * *

TITLE III—PUBLIC WORKS

* * * * * * *

Emergency construction, etc., of.
Roads in national forests, parks, and other reservations.

(2) For expenditure in emergency construction during the fiscal year ending June 30, 1933, $16,000,000, as follows: (A) For the construction and improvement of national-forest highways, $5,000,000; (B) for the construction and maintenance of roads, trails, bridges, fire lanes, and so forth, including the same objects specified in the paragraph commencing with the words "Improvement of the national forests" under the heading "National Forest Administration" in the Agricultural Appropriation Act for the fiscal year ending June 30, 1932, approved February 23, 1931 (46 Stat. 1242), $5,000,000; (C) for the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks and national monuments under the jurisdiction of the Department of the Interior, including areas to be established as national parks authorized under the Act of May 22, 1926 (U. S. C., Supp. V, title 16, secs. 403 to 403c), and under the Act of May 25, 1926 (U. S. C., Supp. V, title 16, secs. 404 to 404c), and national park and monument approach roads authorized by the Act of January 31, 1931 (46 Stat. 1053), as amended, or any one section of such roads of not less than eight miles, which crosses lands wholly or to the extent of 90 per centum owned by the Government of the United States, $3,000,000; (D) for

46 Stat., 1242, 1257.

44 Stat., 616, 635. U. S. C., Supp. V, pp. 178, 179.

46 Stat., 1053, 1570.

construction and improvement of Indian reservation roads under the provisions of the Act approved May 26, 1928 (U. S. C., Supp. V, title 25, sec. 318a), $1,000,000; and (E) for the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations, under the provisions of section 3 of the Federal Highway Act, as amended and supplemented (U. S. C., Supp. V, title 23, secs. 3 and 3a), $2,000,000. The Secretary of Agriculture and the Secretary of the Interior, respectively, are authorized to make rules and regulations for carrying out the foregoing provisions of this section with a view to providing the maximum employment of local labor consistent with reasonable economy of construction.

45 Stat., 750; ante. 57.
U. S. C., Supp. V. p. 354.

42 Stat., 212; 46 Stat., 805; post, 633; 1173; ante, 230.
U. S. C., p. 665; Supp. V, p. 343.

Maximum employment of local labor, to be provided.

* * * * * * *

Approved, July 21, 1932.

Volume V, page 609, insert before "Department of the Interior":

[Seventy-fifth Congress. Sess. III. Ch. 681. 1938.]

CHAP. 681.—An Act Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1938, and for prior fiscal years, to supply supplemental appropriations for the fiscal years ending June 30, 1938, and June 30, 1939, and for other purposes, namely:

* * * * * * *

COMMISSION FOR THE COMMEMORATION OF THE BATTLES OF CHICKAMAUGA, LOOKOUT MOUNTAIN, CHATTANOOGA, AND MISSIONARY RIDGE

June 25, 1938.
[H. R. 1085.]
52 Stat., 1116.

For carrying out the provisions of the joint resolution entitled "Joint resolution to authorize an appropriation to aid in defraying the expenses of the observance of the seventy-fifth anniversary of the Battles of Chickamauga, Georgia, Lookout Mountain, Tennessee, and Missionary Ridge, Tennessee; and commemorate the one-hundredth anniversary of the removal from Tennessee of the Cherokee Indians, at Chattanooga, Tennessee, and at Chickamauga, Georgia, from September 18 to 24, 1938, inclusive; and for other purposes", approved June 10, 1938, fiscal years 1938 and 1939, $35,000.

Commission for the Commemoration of the Battles of Chickamauga, etc.
Expenses.

Ante, 598.

* * * * * * *

Approved, June 25, 1938.

PART II

PROCLAMATIONS OF THE PRESIDENT OF THE UNITED STATES

CANYON DE CHELLY NATIONAL MONUMENT—ARIZONA

April 1, 1931.
47 Stat., 2448.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Canyon De Chelly National Monument, Ariz.
Preamble.
Statutory authorization.
46 Stat., 1161.
Ante, 229, 327.

WHEREAS Congress by act of February 14, 1931 (Public, No. 667—71st Cong.), entitled "An act to authorize the President of the United States to establish the Canyon De Chelly National Monument within the Navajo Indian Reservation, Arizona," authorized the President of the United States, with the consent of the Tribal Council of the Navajo Tribe of Indians, to establish the said Canyon De Chelly National Monument by Executive proclamation;

Approval by Navajo Indian Council.

WHEREAS the Navajo Tribal Council Assembly at Fort Wingate, N. Mex., on July 8, 1930, adopted a resolution approving the establishment of the Canyon De Chelly National Monument; and

WHEREAS it appears that the public interest would be promoted by including the lands hereinafter described within a national monument for the preservation of a great number of cliff dwellings and for their archaeological interest;

National monument established.

NOW, THEREFORE, I, HERBERT HOOVER, President of the United States of America, by virtue of the power in me vested by the said act of Congress approved February 14, 1931, do hereby proclaim and establish the Canyon De Chelly National Monument and that the following described lands in Arizona be, and the same are hereby, included within the said national monument:

Description.

NAVAJO MERIDIAN

Unsurveyed T. 4 N., R. 7 W., N. ½ sec. 5 and NE. ¼ sec. 6;

Unsurveyed T. 5 N., R. 7 W., S. ½ sec. 15, sec. 19, S. ½ sec. 20, secs. 21, 22, S. ½ sec. 23, N. ½ sec. 26, N. ½ sec. 27, N. ½ sec. 28, secs. 29 to 32 inclusive;

Unsurveyed T. 3 N., R. 8 W., sec. 4 and E. ½ sec. 5;

Unsurveyed T. 4 N., R. 8 W., secs. 6, 7, SW. ¼ sec. 17, secs. 18, 19, S. ½, NW. ¼ sec. 20, secs. 29, 30, N. ½ sec. 31, secs. 32 and 33;

Unsurveyed T. 5 N., R. 8 W., secs. 7, 13, S. ½ sec. 14, S. ½ sec. 15, S. ½, NW. ¼ sec. 16, secs. 17 to 24 inclusive, N. ½ sec. 25, N. ½ sec. 26, sec. 27, N. ½, SE. ¼ sec. 28, N ½ sec. 29, N. ½ sec. 30, and SW. ¼ sec. 31;

Unsurveyed T. 6 N., R. 8 W., N. ½ sec. 3, secs. 4 to 8 inclusive, W. ½ sec. 18, and NW. ¼ sec. 19;

Unsurveyed T. 7 N., R. 8 W., S. ½ sec. 33, sec. 34, and W. ½ sec. 35;

Unsurveyed T. 4 N., R. 9 W., secs. 1, 2, 3, E. ½ sec. 4, N. ½ sec. 10, N. ½ sec. 11, secs. 12, 13, E. ½ sec. 24, and E. ½ sec. 25;

Unsurveyed T. 5 N., R. 9 W., secs. 4 to 31 inclusive, E. ½ sec. 33, secs. 34, 35, and 36;

Surveyed T. 6 N., R. 9 W., secs. 1, 2, 3, secs. 10 to 15 inclusive, secs. 21, 22, 23, N. ½ sec. 24, N. ½ sec. 26, secs. 27, 28, 29, SE. ¼ sec. 30, and secs. 31 to 34 inclusive;

Surveyed T. 5 N., R. 10 W., secs. 1 to 18 inclusive, N. ½ sec. 22, secs. 23, 24, 25, N. ½ sec. 26, and N. ½ sec. 36;

Surveyed T. 6 N., R. 10 W., E. ½ sec. 34, sec. 35, and S. ½ sec. 36, containing approximately 83,840 acres.

Warning against unauthorized acts.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

Supervision.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of this monument as provided in the act of Congress entitled "An act to establish a National Park Service, and for other purposes," approved August 25, 1916 (39 Stat. 535), and acts additional thereto or amendatory thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 1″ day of April, in the year of our Lord nineteen hundred and thirty-one, and of the Independence of the United States of America the one hundred and fifty-fifth.

[SEAL]

HERBERT HOOVER

By the President:
WILBUR J CARR
Acting Secretary of State.

[No. 1945]

GRAND CANYON NATIONAL MONUMENT—ARIZONA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

December 22, 1932.
47 Stat., 2547.

A PROCLAMATION

Grand Canyon National Monument, Ariz. Preamble.

WHEREAS the Grand Canyon of the Colorado River is an object of unusual scientific interest, being the greatest eroded canyon within the United States; and

WHEREAS that portion of the canyon which continues down the Colorado River below the Grand Canyon National Park contains much that is most significant and important in this unusual scientific interest; and

WHEREAS it appears that the public interest would be promoted by reserving this portion of the Grand Canyon as a national monument, with such other land as is necessary for its proper protection;

National monument established.
34 Stat., 225.
U. S. C., p. 416.

NOW, THEREFORE, I, HERBERT HOOVER, President of the United States of America, by virtue of the power in me vested by section 2 of the act of Congress entitled "AN ACT For the preservation of American antiquities," approved June 8, 1906 (34 Stat. 225), do proclaim that, subject to all valid existing rights, there is hereby reserved from all forms of appropriation under the public land laws and set apart as a national monument, the tract of land in the State of Arizona, lying within the following-described boundaries, which shall hereafter be known as the Grand Canyon National Monument:

Description.

GILA AND SALT RIVER MERIDIAN, ARIZONA

Beginning at the quarter section corner of secs. 2 and 11, T. 35 N., R. 8 W., thence east along the line between secs. 2 and 11, 1 and 12, T. 35 N., R. 8 W., secs. 6 and 7, 5 and 8, 4 and 9, 3 and 10, 2 and 11, 1 and 12, T. 35 N., R 7 W., secs. 6 and 7, 5 and 8, 4 and 9, 3 and 10, 2 and 11, 1 and 12, T. 35 N., R. 6 W; thence continuing east through unsurveyed T. 35 N., Rs. 5 and 4 W., to the boundary of the Kaibab National Forest; thence southerly along the boundary of the Kaibab National Forest to the intersection with the boundary of the Grand Canyon National Park; thence southerly and southwesterly along the boundary of the Grand Canyon National Park to the intersection with the boundary of the Tusayan National Forest; thence southerly along the boundary of the Tusayan National Forest to the northeast corner of sec. 24, T. 32 N., R. 5 W.; thence westerly along the line between secs. 13 and 24, 14 and 23, 15 and 22, 16 and 21, 17 and 20, 18 and 19, T. 32 N., R. 5 W., and secs. 13 and 24, T. 32 N., R. 6 W., to the east boundary of the Hualpai Indian Reservation; thence northerly along the east boundary of the said Hualpai Indian Reservation to the Colorado River; thence due north to the north bank of the Colorado River; thence southwesterly along the north bank of the Colorado River to a point due south of the quarter section corner of secs. 9 and 10, T. 32 N., R. 8 W.; thence due north to the quarter section corner of secs. 9 and 10; thence northerly along the line between secs. 9 and 10, 3 and 4, to eighth standard parallel north; thence west along said standard parallel to the standard corner of secs. 33 and 34, T. 33 N., R. 8 W.; thence northerly along the line between secs. 33 and 34, to the corner of secs. 27, 28, 33, and 34; thence westerly along the line between secs. 28 and 33, to its intersection with the hydrographic divide between Toroweap Valley on the east and an unnamed valley on the west; thence northerly along said hydrographic divide to its intersection with the line between secs. 20 and 29, T. 34 N., R. 8 W.; thence easterly along the line between said secs. 20 and 29, to the corner of secs. 20, 21, 28, and 29; thence northerly along the line between secs. 20 and 21, 16 and 17, to the corner of secs. 8, 9, 16, and 17; thence easterly along the line between secs. 9 and 16 to the quarter section corner; thence northerly along the center section line of secs. 9 and 4, to the center of said sec. 4; thence easterly along the center section line of said sec. 4, to the quarter section corner of secs. 3 and 4; thence northerly along the line between secs. 3 and 4, T. 34 N., R. 8 W., secs. 33 and 34, T. 35 N., R. 8 W., to the quarter section corner; thence easterly along the center section line of secs. 34 and 35, to the center of sec. 35; thence northerly along the center section line of secs. 35, 26, 23, 14, and 11, to the place of beginning, containing approximately 273,145 acres.

Reserved from settlement, etc.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument, and not to locate or settle upon any of the lands thereof.

Supervision.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of this monument as provided in the act of Congress entitled "AN ACT To establish a National Park Service, and for other purposes," approved August 25, 1916 (39 Stat. 535–536), and acts additional thereto or amendatory thereof.

39 Stat., 535.
U. S. C., p. 389.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 22d day of December, in the year of our Lord nineteen hundred and thirty-two, and
[SEAL] of the Independence of the United States of America the one hundred and fifty-seventh.

HERBERT HOOVER

By the President:
HENRY L STIMSON
Secretary of State.

[No. 2022]

CANYON DE CHELLY NATIONAL MONUMENT—ARIZONA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

March 3, 1933.
47 Stat., 2562.

A PROCLAMATION

Canyon De Chelly National Monument, Ariz.
Establishment, within Navajo Indian Reservation, with consent of their council.
Vol. 46, 1161; ante, 229.

WHEREAS Congress by act of February 14, 1931 (Public, No. 667—71st Cong.), entitled "AN ACT To authorize the President of the United States to establish the Canyon De Chelly National Monument within the Navajo Indian Reservation, Arizona," authorized the President of the United States, with the consent of the Tribal Council of the Navajo Tribe of Indians, to establish the said Canyon De Chelly National Monument by Executive proclamation; and

Statutory provision for modifying area.
47 Stat., 1419; ante, 327.

WHEREAS Congress by act of March 1, 1933 (Public, No. 404—72nd Cong. 2nd Session), entitled "AN ACT To amend the description of land described in section 1 of the act approved February 14, 1931, entitled 'AN ACT To authorize the President of the United States to establish the Canyon De Chelly National Monument within the Navajo Indian Reservation, Arizona,'" amended the description of the land described in section 1 of the act of February 14, 1931; and

Approval by Navajo Council Assembly.

WHEREAS the Navajo Tribal Council Assembly at Fort Wingate, New Mexico, on July 8, 1930, adopted a resolution approving the establishment of the Canyon De Chelly National Monument; and

WHEREAS it appears to be in the public interest that the cliff dwellings and other features of scientific and educational interest desired to be preserved be more accurately described by amending the description of the land for the Canyon De Chelly National Monument as established by Proclamation No. 1945 dated April 1, 1931;

47 Stat., 2547; ante, 636.

Description amended.

NOW, THEREFORE, I, HERBERT HOOVER, President of the United States of America, by virtue of the power in me vested by the said acts of Congress approved February 14, 1931, and March 1, 1933, do proclaim that the Canyon De Chelly National Monument as heretofore established by proclamation shall comprise the following described lands:

Location.

"All lands in Del Muerto, De Chelly, and Monument Canyons, and the canyons tributary thereto, and the lands within one-half mile of the rims of the said canyons, situated in unsurveyed townships 4 and 5 north, range 7 west; townships 4, 5, and 6 north, range 8 west; townships 4 and 5 north, range 9 west; and in surveyed townships 4 and 5 north, range 6 west; townships 3, 6, and 7 north, range 7 west; township 6 north, range 9 west; and township 5 north, range 10 west; embracing about eighty-three thousand eight hundred and forty acres, all of the Navajo meridian, in Arizona,"

and the proclamation dated April 1, 1931, heretofore issued for the establishment of the said national monument is hereby accordingly modified.

Warning against unlawful acts.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

Supervision.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of this monument as provided in the act of Congress entitled "AN ACT To establish a National Park Service, and for other purposes," approved August 25, 1916 (39 Stat. 535), and acts additional thereto or amendatory thereof.

39 Stat., 535.
U. S. C., p. 389.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 3rd day of March in the year of our Lord ninteen hundred and thirty-three and of the [SEAL] Independence of the United States of America the one hundred and fifty-seventh.

HERBERT HOOVER

By the president:
HENRY L STIMSON
Secretary of State.

[No. 2036]

ORGAN PIPE CACTUS NATIONAL MONUMENT—ARIZONA

April 13, 1937.
50 Stat., 1827.

By the President of the United States of America

A PROCLAMATION

Organ Pipe Cactus National Monument, Ariz.

WHEREAS certain public lands in the State of Arizona contain historic landmarks, and have situated thereon various objects of historic and scientific interest; and

Preamble.

WHEREAS it appears that it would be in the public interest to reserve such lands as a national monument, to be known as the Organ Pipe Cactus National Monument:

Reserving certain lands for national monument.
34 Stat., 225; 16 U. S. C. § 431.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 2 of the Act of June 8, 1906 (ch. 3060, 34 Stat. 225; U. S. C. title 16, sec. 431), do proclaim that, subject to existing rights, the following-described lands in Arizona are hereby reserved from all forms of appropriation under the public-land laws and set apart as the Organ Pipe Cactus National Monument:

Gila and Salt River Meridian

Description.

Beginning at a point on the southern boundary of the Papago Indian Reservation which is the point for the corner of secs. 5, 6, 31, and 32, Tps. 17 and 18 S., R. 3 W.; thence south approximately five and one-half miles to the International Boundary; thence northwesterly along the International Boundary to the intersection with the position for the third meridional section line through unsurveyed T. 17 S., R. 8 W.; thence north on the third meridional section line through Tps. 17, 16, 15 and 14 S., R. 8 W. (unsurveyed), to the point for the corner of secs. 15, 16, 21 and 22; thence east on the third latitudinal section line through T. 14 S., Rs. 8, 7, 6, and 5 W., to the

corner of sections 13, 18, 19 and 24, T. 14 S., Rs. 4 and 5 W., on the west boundary of the Papago Indian Reservation; thence southerly and easterly along the west boundary of the Papago Indian Reservation to the point for the corner of secs. 5, 6, 31, and 32, Tps. 17 and 18 S., R. 3 W., which is the point of beginning, containing approximately 330,690 acres.

Papago Indian Reservation.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

Warning against unauthorized acts.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of the monument as provided in the act of Congress entitled "An Act To establish a National Park Service, and for other purposes," approved August 25, 1916 (ch. 408, 39 Stat. 535; U. S. C., title 16, secs. 1 and 2), and acts supplementary thereto or amendatory thereof: *Provided*, that the administration of the monument shall be subject to: (1) Right of the Indians of the Papago Reservation to pick the fruits of the organ pipe cactus and other cacti, under such regulations as may be prescribed by the Secretary of the Interior; (2) Proclamation of May 27, 1907 (35 Stat. 2136); (3) Executive Order No. 5462 of October 14, 1930; and (4) Executive Order of November 21, 1923, reserving a 40-acre tract as a public water reserve.

Supervision.

39 Stat., 535; 16 U. S. C. §§ 1, 2.

Proviso.
Indian rights reserved.

35 Stat., 2136; vol. 3, 626.

The reservation made by this proclamation supersedes as to any of the above-described lands affected thereby the temporary withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended.

Executive Order 6910 superseded.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 13 day of April, in the year of our Lord nineteen hundred and thirty-seven and of the
[SEAL] Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
The Secretary of State.

[No. 2232]

PART III

EXECUTIVE ORDERS RELATING TO INDIAN RESERVATIONS FROM 1927 TO 1938

GENERAL

EXTENSION OF TRUST PERIOD ON INDIAN RESERVATION ALLOTMENTS

It is hereby ordered, under authority contained in section 5 of the act of February 8, 1887 (24 Stat. 388, 389), and the act of June 21, 1906 (34 Stat. 325, 326), that the period of trust covering allotments made in favor of Indians on the following-named reservations, which trust will expire during the calendar year 1932, be, and the same is hereby, extended for a period of 10 years from the respective dates of expiration thereof:

Temecula or Pechanga, California;
Sac and Fox, Kansas and Nebraska;
Grand Portage, White Earth, and Winnibigoshish, Minneota;
Crow, Montana; Santee, Nebraska;
Devils Lake and Standing Rock, North Dakota;
Eastern Shawnee, and Otoe and Missouria, Oklahoma;
Cheyenne River, Crow Creek, Pine Ridge, and Rosebud, South Dakota;
Quinaielt, Washington; Shoshone or Wind River, Wyoming.

HERBERT HOOVER.

THE WHITE HOUSE, *December 30, 1931.*

[No. 5768]

EXTENSION OF TRUST PERIOD ON INDIAN RESERVATION ALLOTMENTS

It is hereby ordered, under authority contained in section 5 of the act of February 8, 1887 (24 Stat. 388, 389), and the act of June 21, 1906 (34 Stat. 325, 326), that the period of trust covering allotments made in favor of Indians on the following-named reservations, or on other reservations not specifically named herein, which trust will expire during the calendar year 1933, be, and the same is hereby, extended for a period of 10 years from the respective dates of expiration thereof:

Round Valley Reservations, Calif.
White Earth Reservation, Minn.
Flathead Reservation, Mont.
Santee Reservation, Nebr.
Devils Lake and Standing Rock Reservations, N. Dak.
Kiowa Reservation, Okla.
Pine Ridge Reservation, S. Dak.
Shoshone or Wind River Reservation, Wyo.

HERBERT HOOVER.

THE WHITE HOUSE, *November 23, 1932.*

[No. 5953]

EXTENDING CERTAIN PERIODS OF TRUST ON INDIAN LANDS

By virtue of and pursuant to the authority vested in me by section 5 of the act of February 8, 1887, ch. 119, 24 Stat. 388, 389, by the act of June 21, 1906, ch. 3504, 34 Stat. 325, 326, and by the act of March 2, 1917, ch. 146, 39 Stat. 969, 976, it is ordered that the periods of trust applying to any Indian lands, whether of a tribal or individual status, which, unless extended, will expire December 31, 1936, or during the calendar year 1937, be, and they are hereby, extended in each case for a further period of 25 years from the date on which any such trust would otherwise expire.

This order is not intended to apply to any case in which Congress has specifically reserved to itself authority to extend the period of trust on tribal or individual Indian lands.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *September 30, 1936.*

[No. 7464]

TRANSFER OF CERTAIN PROPERTY AND FUNCTIONS FROM THE DEPARTMENT OF AGRICULTURE TO THE DEPARTMENT OF THE INTERIOR

By virtue of and pursuant to the authority vested in me under Title II of the National Industrial Recovery Act, approved June 16, 1933 (48 Stat. 200), the Emergency Relief Appropriation Act of 1935, approved April 8, 1935 (49 Stat. 115), and the Emergency Relief Appropriation Act of 1936, approved June 22, 1936 (49 Stat. 1608), it is hereby ordered as follows:

1. There are hereby transferred from the Department of Agriculture to the Department of the Interior the following Indian Subsistence Homesteads projects, including all real and personal property or any interest therein, together with all contracts, options, rights, interests, records, etc., acquired by the Department of Agriculture in connection with the said projects:

1. Great Falls Homesteads, Cascade County, Montana,
2. Burns Subsistence Homesteads, Harney County, Oregon,
3. Chilocco Homesteads, Kay County, Oklahoma,
4. White Earth Homesteads, Becker County, Minnesota,
5. Devil's Lake Homesteads, Ramsey County, North Dakota, and
6. Lake County Homesteads, Lake County, California.

2. The Secretary of the Interior is hereby authorized to administer the property transferred under paragraph 1 hereof, and in connection therewith to exercise all powers and functions previously given to the Secretary of Agriculture by Executive Order No. 7530 of December 31, 1936.

3. The Secretary of the Interior is hereby authorized to prescribe such rules and regulations as may be necessary to carry out the administrative functions transferred and delegated to him by this Executive Order.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *Feb. 1, 1937.*

[No. 7546]

EXTENSION OF TRUST PERIODS ON INDIAN LANDS EXPIRING DURING CALENDAR YEAR 1938

By virtue of and pursuant to the authority vested in me by section 5 of the act of February 8, 1887, 24 Stat. 388, 389, by the act of June 21, 1906, 34 Stat. 325, 326, and by the act of March 2, 1917, 39 Stat. 969, 976, it is hereby ordered that the periods

of trust applying to any Indian lands, whether of a tribal or individual status, which, unless extended, will expire during the calendar year 1938, be, and they are hereby, extended for a further period of 25 years from the date on which any such trust would otherwise expire.

This order is not intended to apply to any case in which the Congress has specifically reserved to itself authority to extend the period of trust on tribal or individual Indian lands.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *Sept. 29, 1937.*

[No. 7716]

TRANSFER OF JURISDICTION OVER CERTAIN LANDS FROM THE SECRETARY OF AGRICULTURE TO THE SECRETARY OF THE INTERIOR

Whereas certain lands, together with the improvements thereon, largely contiguous or in close proximity to existing Indian Reservations, have been, or are in the process of being, acquired in connection with the projects hereinafter designated, under authority of Title II of the National Industrial Recovery Act of June 16, 1933 (48 Stat. 200), the Emergency Relief Appropriation Act of April 8, 1935 (49 Stat. 115), and section 55 of Title I of the act of August 24, 1935, 49 Stat. 750, 781; and

Whereas it appears that the transfer of jurisdiction over such lands from the Secretary of Agriculture to the Secretary of the Interior for administrative purposes would be in the public interest:

Now, therefore, by virtue of and pursuant to the authority vested in me under the aforesaid National Industrial Recovery Act, the Emergency Relief Appropriation Act of 1935, and the act of August 24, 1935, it is hereby ordered that jurisdiction over the lands within the hereinafter-described areas, together with the improvements thereon, acquired or in the process of acquisition by the United States in connection with the hereinafter-designated projects, be, and it is hereby, transferred from the Secretary of Agriculture to the Secretary of the Interior: *Provided, however,* that the Secretary of Agriculture shall retain such jurisdiction over the lands now in process of acquisition by the United States as may be necessary to enable him to complete the purchase of such lands; and the Secretary of the Interior is hereby authorized (1) to administer, through the Commissioner of Indian Affairs, such lands for the uses for which they were, or are in the process of being, acquired, and, insofar as consistent with such uses, for the benefit of such Indians as he may designate, (2) in connection with the administration of such lands to exercise all powers and functions, insofar as they may relate to these lands, conferred upon the Secretary of Agriculture by Executive Order No. 7530 of December 31, 1936, and Executive Order No. 7557 of February 19, 1937,[1] and (3) to prescribe such rules and regulations as may be necessary to carry out the purposes of this order:

SEMINOLE PROJECT, LI–FL–6

GLADES COUNTY, FLORIDA

Tallahassee Meridian

T. 39 S., R. 32 E., secs. 1 to 3, inclusive, 10, 12 to 15, and 22 to 27, inclusive, 34, and 35;

T. 38 S., R. 33 E., secs. 19, 20, and 29 to 36, inclusive;

T. 39 S., R. 33 E., sec. 2, lots 1 to 3, inclusive, N½NW¼, and SW¼NW¼; secs. 3 to 9, inclusive, all; sec. 10, lots 1 and 2, NE¼, NW¼, SW¼, and NW¼SE¼; sec. 11, lots 1 and 2; secs. 17 to 20, inclusive, all; sec. 21, lots 1 to 4, inclusive, NW¼, N½SW¼, and SW¼SW¼; sec. 28, NW¼; sec. 29, lots 1 and 2, NE¼, NW¼, and W½SW¼; secs. 30 and 31, all; sec. 32, lots 1 and 2;

T. 38 S., R. 34 E., sec. 31, lots 1 to 4, inclusive.

[1] 2 Fed. 9, 411 (DI).

FORT HALL PROJECT, LI–ID–2

BANNOCK, BINGHAM, AND POWER COUNTIES, IDAHO

Boise Meridian

Tps. 5, 6, 7, 8, and 9 S., R. 32 E., those parts lying within the Fort Hall Indian Reservation;
Tps. 4 and 5 S., R. 33 E., those parts lying within the Fort Hall Indian Reservation;
Tps. 6, 7, 8, and 9 S., R. 33 E., all;
T. 10 S., R. 33 E., secs. 1 to 12, inclusive;
Tps. 3 and 4 S., R. 34 E., those parts lying within the Fort Hall Indian Reservation;
Tps. 5 and 6 S., R. 34 E., all;
T. 10 S., R. 34 E., sec. 7;
T. 3 S., R. 35 E., that part lying within the Fort Hall Indian Reservation;
T. 4 S., R. 35 E., all;
T. 5 S., R. 35 E., secs. 1 to 24, inclusive;
Tps. 2 and 3 S., R. 36 E., those parts lying within the Fort Hall Indian Reservation;
Tps. 4 and 5 S., R. 36 E., all;
T. 6 S., R. 36 E., that part lying within the Fort Hall Indian Reservation;
T. 2 S., R. 37 E., that part lying within the Fort Hall Indian Reservation;
Tps. 3, 4, and 5 S., R. 37 E., all;
T. 6 S., R. 37 E., that part lying within the Fort Hall Indian Reservation;
Tps. 2 and 3 S., R. 38 E., those parts lying within the Fort Hall Indian Reservation;
Tps. 4 and 5 S., R. 38 E., all;
T. 6 S., R. 38 E., that part lying within the Fort Hall Indian Reservation.

L'ANSE PROJECT, LI–MI–8

BARAGA COUNTY, MICHIGAN

Michigan Meridian

T. 50 N., R. 32 W., secs. 4 to 9, 16 to 21, and 28 to 33, inclusive;
T. 51 N., R. 32 W., all;
T. 50 N., R. 33 W., secs. 1 to 3, 10 to 15, 22 to 27, and 34 to 36, inclusive;
T. 51 N., R. 33 W., all.

TWIN LAKES LAND PROJECT, LI–MN–6

MAHNOMEN COUNTY, MINNESOTA

Fifth Principal Meridian

T. 143 N., R. 39 W., all;
T. 144 N., R. 39 W., secs. 2 to 11, and 13 to 36, inclusive.

FLAT LAKE PROJECT, LI–MN–15

BECKER COUNTY, MINNESOTA

Fifth Principal Meridian

T. 141 N., R. 39 W., sec. 4, lots 1 to 4, inclusive, S½NE¼, S½NW¼, SW¼, and W½SE¼; secs. 5 to 7, inclusive, all; sec. 8, NE¼ and NW¼; sec. 18, lots 1 to 4, inclusive, W½NE¼, E½NW¼, and E½SW¼; sec. 19, lots 1 to 4, inclusive, E½NW¼, E½SW¼, and SE¼;
T. 142 N., R. 39 W., secs. 5 to 9, 16 to 21, and 28 to 33, inclusive;
Tps. 141 and 142 N., R. 40 W., all.

FORT PECK PROJECT, LI–MT–6

ROOSEVELT AND VALLEY COUNTIES, MONTANA

Montana Meridian

T. 31 N., R. 40 E., sec. 1, all; sec. 2, lots 1 to 6, inclusive, S½NE¼, and SE¼; sec. 11, lots 1 to 6, inclusive, and N½NE¼; sec. 12, all; sec. 13, lots 1 to 3, inclusive, NE¼, NE¼NW¼, S½NW¼, NE¼SW¼, and SE¼; sec. 14, lots 1 to 3, inclusive; sec. 24, lots 1 to 6, inclusive, and E½NE¼; sec. 25, lots 1 and 2;

T. 28 N., R. 41 E., sec. 1, lots 1 to 7, inclusive, S½NE¼, SE¼NW¼, E½SW¼, and SE¼; sec. 2, lots 10 to 12, inclusive; sec. 11, lots 5 to 8, inclusive; sec. 12, all; sec. 13, lots 2 to 6, inclusive, NE¼, E½NW¼, NE¼SW¼, and SE¼; sec. 14, lots 5 to 7, inclusive; sec. 23, lots 4 and 5; sec. 24, lots 4 to 10, inclusive, S½NE¼, SE¼NW¼, NE¼SW¼, and SE¼; sec. 25, lots 5 to 9, inclusive, N½NE¼, and SE¼NE¼; sec. 36, lots 3 and 4;

T. 29 N., R. 41 E., secs. 1 to 3, inclusive, all; sec. 4, lots 6 to 11, inclusive, S½NE¼, and SE¼; sec. 9, lots 5 to 9, inclusive, NE¼, SE¼SW¼, and SE¼; secs. 10 to 15, inclusive, all; sec. 16, lots 5 to 9, inclusive, NE¼, E½NW¼, NE¼SW¼, and SE¼; sec. 21, lots 6 to 10, inclusive, N½NE¼, SE¼NE¼, and E½SE¼; secs. 22 to 26, inclusive, all; sec. 27, lot 2, NE¼, NW¼, N½SW¼, SE¼SW¼, and SE¼; sec. 28, lots 5 to 9, inclusive, and NE¼NE¼; sec. 34, lots 5 to 8, inclusive, NE¼, E½NW¼, E½SW¼, and SE¼; secs. 35 and 36, all;

T. 30 N., R. 41 E., secs. 1 to 4, inclusive, all; sec. 5, lots 3 to 8, inclusive, S½NE¼, S½NW¼, E½SW¼, and SE¼; sec. 6, lots 7 and 8; sec. 8, lots 7 to 11, inclusive, and E½NE¼; secs. 9 to 15, inclusive, all; sec. 16, lots 4 to 9, inclusive, NE¼, NE¼NW¼, and SE¼; sec. 17, lot 3; sec. 21, lots 5 to 8, inclusive, NE¼, and E½SE¼; secs. 22 to 27, inclusive, all; sec. 28, lots 5 to 8, inclusive, E½NE¼, and E½SE¼; sec. 33, lots 8 to 15, inclusive, and NE¼NE¼; secs. 34 to 36, inclusive, all;

T. 31 N., R. 41 E., secs. 1 to 29, inclusive, all; sec. 30, lots 1 to 5, inclusive, NE¼, E½NW¼, N½SE¼, and SE¼SE¼; sec. 31, lots 1 to 5, inclusive, and NE¼SE¼; secs. 32 to 36, inclusive, all;

T. 26 N., R. 42 E., sec. 1, lots 1 to 4, inclusive, NE¼, and N½NW¼; sec. 2, lots 1 to 3, inclusive, and NE¼NE¼;

T. 27 N., R. 42 E., secs. 1 to 3, inclusive, all; sec. 4, lots 2 to 8, inclusive, S½NE¼, S½NW¼, N½SW¼, SW¼SW¼, and N½SE¼; sec. 5, lots 5 to 9, inclusive, S½NE¼, E½SW¼, and SE¼; sec. 6, lot 16; sec. 8, lots 8 to 11, inclusive, and NW¼NE¼; sec. 9, lots 5 to 9, inclusive; sec. 10, lots 6 to 12, inclusive, E½NE¼; NW¼NE¼, and E½SE¼; secs. 11 to 13, inclusive, all; sec. 14, lots 4 to 13, inclusive, S½NE¼, and N½SE¼; sec. 15, lots 9 to 16, inclusive; sec. 22, lots 6 to 9, inclusive, and NE¼NE¼; sec. 23, lots 5 to 13, inclusive, NE¼SE¼, and S½SE¼; sec. 24, lots 2 and 3, NE¼, E½NW¼, SW¼, and SE¼; secs. 25 and 26, all; sec. 27, lots 6 to 13, inclusive, NE¼SE¼, and S½SE¼; sec. 28, lots 6 to 11, inclusive; sec. 33, lots 8 to 11, inclusive; sec. 34, lots 4 to 9, inclusive, N½NE¼, SE¼NE¼, and NE¼SE¼; secs. 35 and 36, all;

T. 28 N., R. 42 W., secs. 1 to 30, inclusive, all; sec. 31, lots 9 to 15, inclusive, and N½NE¼; sec. 32, lots 6 to 11, inclusive, NE¼, E½NW¼, and E½SE¼; secs. 33 to 36, inclusive, all;

Tps. 29, 30 and 31 N., R. 42 W., all;

T. 32 N., R. 42 W., sec. 35, SE¼;

T. 26 N., R. 43 W., sec. 1, all; sec. 2, lots 1 to 4, inclusive, NE¼, NW¼, and NE¼SE¼; sec. 3, lots 1 to 4, inclusive, N½NE¼, and NW¼; secs. 4 to 6, inclusive, all; sec. 7, lots 1 and 2; sec. 8, lot 1; sec. 11, lots 1 to 4, inclusive, and SE¼SE¼; sec. 12, all; sec. 13, lots 1 to 5, inclusive, N½NE¼, SW¼NE¼, and NW¼; sec. 14, lots 1 to 6, inclusive, NE¼, and SE¼NW¼; sec. 15, lot. 1;

Tps. 27, 28, 29, 30 and 31 N., R. 43 E., all;

T. 26 N., R. 44 E., sec. 1, all; sec. 2, lots 4 to 8, inclusive, NE¼, and NW¼; sec. 3, lots 2 and 3, NE¼, NW¼, SW¼, and NW¼SE¼; sec. 4, all; sec. 5, lots 4 to 7, inclusive, NE¼NW¼, and NE¼SE¼; sec. 6, lots 3 to 9, inclusive, NE¼, E½NW¼, and NE¼SW¼; sec. 7, lots 5 to 12, inclusive; sec. 9, lots 4 to 7, inclusive, NE¼, and E½SE¼; sec. 10, lots lots 5 to 8, inclusive, NW¼, and SW¼; sec. 12, lots 5 to 9, inclusive, N½NE¼, SE¼NE¼, and NE¼NW¼; sec. 15, lots 7 to 10, inclusive, and N½NW¼; sec. 16, lots 5 to 7, inclusive; sec. 18, lots 6 to 11, inclusive;

Tps. 27, 28, 29, 30 and 31 N., R. 44 E., all;

T. 32 N., R. 44 E., secs. 13, 24, 25, and 36;

T. 26 N., R. 45 E., secs. 1 to 6, inclusive, all; sec. 7, lots 1 to 7, inclusive, NE¼, E½NW¼, NE¼SW¼, and N½SE¼; secs. 8 and 9, all; sec. 10, lots 1 to 5, inclusive, N½NW¼, and SW¼NW¼; sec. 11, lots 1 to 5, inclusive, and N½NE¼; sec. 12, all; sec. 13, lots 1 to 5, inclusive, NW¼NE¼, and NE¼NW¼; sec. 15, lot 1; sec. 16, lots 1 to 5, inclusive, W½NE¼, and NW¼; sec. 17, lots 1 to 3, inclusive, and NE¼NE¼;

Tps. 27, 28, 29, 30 and 31 N., R. 45 E., all;

T. 32 N., R. 45 E., secs. 13 to 36, inclusive;

T. 26 N., R. 46 E., sec. 1, lots 1 to 5, inclusive, W½NE¼, NW¼, and NW¼SW¼; sec. 2, lot 1, NE¼, NW¼, SW¼, N½SE¼, and SW¼SE¼; sec. 3, lots 1 to 4, inclusive, and NE¼NE¼; sec. 4, lots 1 to 4, inclusive, and NW¼NW¼; secs. 5 and 6, all; sec. 7, lots 1 to 7, inclusive; NE¼, E½NW¼, NE¼SW¼, and NW¼SE¼; sec. 8, lots 1 to 4, inclusive, N½NE¼, and NW¼; sec. 9, lots 1 to 3, inclusive, and NW¼NW¼; sec. 10, lot 1; sec. 11, lots 1 to 3, inclusive; sec. 18, lots 1 and 2;

T. 27 N., R. 46 E., secs. 1 to 32, inclusive, all; sec. 33, lots 1 to 3, inclusive, NE¼, NW¼, N½SW¼, and SW¼SW¼; sec. 34, lots 1 and 2, NE¼, NW¼, NE¼SW¼, and SE¼; secs. 35 and 36, all;

Tps. 28, 29, 30, 31 and 32 N., R. 46 E., all;

T. 27 N., R. 47 E., secs. 1 to 20, inclusive, all; sec. 21, lots 1 and 2, NE¼, NW¼, SW¼, and NW¼SE¼; sec. 22, lots 1 to 4, inclusive, NW¼NE¼, and N½NW¼; sec. 23, lots 1 to 4, inclusive; sec. 24, lot 1; sec. 28, lots 1 to 5, inclusive, N½NW¼, SW¼NW¼, and NW¼SW¼; sec. 29, lots 1 to 4, inclusive, NE¼, NW¼, and NE¼SE¼; sec. 30, lots 1 to 14, inclusive, NE¼, and NW¼SE¼; sec. 31, lots 1 to 7, inclusive; sec. 33, lots 1 to 5, inclusive;

Tps. 28, 29, 30, 31 and 32 N., R. 47 E., all;

T. 27 N., R. 48 E., secs. 1 to 12, inclusive, all; sec. 13, lots 1 to 4, inclusive, N½NE¼, and N½NW¼; sec. 14, lots 1 to 4, inclusive; sec. 15, lots 1 to 5, inclusive, NW¼NE¼, and N½NW¼; secs. 16 to 18, inclusive, all; sec. 19, lots 1 to 3, inclusive; sec. 20, lots 1 to 4, inclusive, NE¼, NE¼NW¼, and E½SE¼; sec. 21, lots 1 to 4, inclusive, NW¼, and NW¼SW¼; sec. 28, lot 1; sec. 29, lot 1;

Tps. 28, 29, 30 and 31 N., R. 48 E., all;

T. 32 N., R. 48 E., secs. 5 to 8, 17 to 20, and 29 to 32, inclusive;

T. 27 N., R. 49 E., sec. 1, lot 7; sec. 2, lots 4 to 7, inclusive, NW¼, and W½SW¼; secs. 3 to 10, inclusive, all; sec. 11, lots 4 to 7, inclusive, W½NW¼, and W½SW¼; sec. 13, lots 7 to 11, inclusive, and E½SE¼; sec. 14, lot 6; sec. 15, lots 5 to 8, inclusive, NW¼NE¼, and N½NW¼; sec. 16, lots 5 to 8, inclusive, N½NE¼, and N½NW¼; sec. 17, lots 5 to 8, inclusive, and NW¼NW¼; sec. 18, lots 5 to 9, inclusive, N½NE¼, and NE¼NW¼; sec. 24, lot 6;

Tps. 28, 29, 30 and 31 N., R. 49 E., all;

T. 27 N., R. 50 E., secs. 1 to 14, inclusive, all; sec. 15, lots 4 to 7, inclusive, NE¼-NE¼, and NW¼NW¼; sec. 16, lots 3 to 6, inclusive, N½NE¼, and NW¼; secs. 17 and 18, all; sec. 19, lots 6 to 9, inclusive; sec. 20, lots 5 and 6; sec. 23, lots 5 to 8, inclusive, N½NE¼, SE¼NE¼, and NE¼SE¼; sec. 24, all; sec. 25, lots 5 to 7, inclusive; sec. 26, lot 4;

Tps. 28, 29, 30 and 31 N., R. 50 E., all;

T. 27 N., R. 51 E., secs. 1 to 14, inclusive, all; sec. 15, lots 7 and 8; sec. 16, all; sec. 17, lots 2 to 5, inclusive, NE¼, E½NW¼, N½SE¼, and SE¼SE¼; sec. 18, lots 6 to 11, inclusive; sec. 19, lots 5 to 7, inclusive; sec. 20, lots 6 and 7; sec. 21, lots 5 to 8, inclusive, and N½NW¼; sec. 22, lots 6 to 9, inclusive, SE¼NE¼, and E½SE¼; secs. 23 and 24, all; sec. 25, lot 7; sec. 26, lots 5 to 8, inclusive, NW¼NE¼, N½NW¼, and SW¼NW¼; sec. 27, lots 6 to 8, inclusive, and NE¼NE¼;

Tps. 28, 29, 30 and 31 N., R. 51 E., all;

T. 27 N., R. 52 E., secs. 1 to 12, inclusive, all; sec. 13, lots 5 to 7, inclusive; sec. 14, lot 5; sec. 15, lots 4 to 7, inclusive, NW¼, and SW¼; secs. 16 to 20, inclusive, all; sec. 21, lots 6 to 9, inclusive; sec. 22, lots 7 to 10, inclusive; and N½NW¼; sec. 29, lots 6 to 8, inclusive, and NW¼NW¼; sec. 30, lots 3 to 6, inclusive, and NE¼;

Tps. 28, 29, 30, 31 and 32 N., R. 52 E., all;

T. 27 N., R. 53 E., sec. 1, lots 1 to 4, inclusive, NW¼NE¼, and N½NW¼; sec. 2, lots 1 to 4, inclusive, and NE¼NE¼; sec. 3, lot 1; sec. 6, lots 1 to 4, inclusive; sec. 7, lots 1 to 3, inclusive;

T. 28 N., R. 53 E., secs. 1 to 27, inclusive, all; sec. 28, lots 1 to 4, inclusive, NE¼, N½NW¼, SE¼NW¼, and NE¼SE¼; sec. 29, lots 1 to 4, inclusive, N½NE¼, N½NW¼, and SW¼NW¼; sec. 30, all; sec. 31, lots 1 to 8, inclusive; sec. 33, lot 1; sec. 34, lots 1 to 4, inclusive, NE¼, NE¼NW¼, N½SE¼, and SE¼SE¼; secs. 35 and 36, all;

Tps. 29, 30 and 31 N., R. 53 E., all;

T. 27 N., R. 54 E., sec. 1, lots 1 to 5, inclusive, N½NE¼, and SE¼NE¼; sec. 2, lots 1 to 4, inclusive, and N½NW¼; sec. 3, lots 1 to 3, inclusive, NE¼, NW¼, N½SW¼, and SW¼SW¼; sec. 4, lots 1 to 3, inclusive, NE¼, N½NW¼, SE¼NW¼, N½SE¼, and SE¼SE¼; sec. 5, lot 1; sec. 6, lots 1 to 3, inclusive; sec. 9, lots 1 and 2; sec. 10, lot 1; sec. 12, lots 1 to 5, inclusive;

T. 28 N., R. 54 E., sec. 1, lots 1 to 6, inclusive, S½NW¼, SW¼, and W½SE¼; secs. 2 to 36, inclusive, all;

T. 29 N., R. 54 E., sec. 2, lots 5 and 6; sec. 3, lots 9 to 14, inclusive; sec. 4, lots 2 to 8, inclusive, S½NE¼, S½NW¼, and SW¼; secs. 5 to 7, inclusive, all; sec. 8, lots 2 and 3, NE¼, NW¼, SW¼, and NW¼SE¼; sec. 9, lots 5 and 6, and NW¼NW¼; sec. 17, lots 5 to 10, inclusive, NW¼, and NE¼SW¼; secs. 18 and 19, all; sec. 20, lots 4 to 8, inclusive, NE¼NW¼, S½NW¼, SW¼, and SW¼SE¼; sec. 21, lot 2; sec. 28, lots 6 to 8, inclusive; sec. 29, lots 3 to 6, inclusive, W½NE¼, NW¼, and SW¼; secs. 30 and 31, all; sec. 32, lot 2, NW¼NE¼, S½NE¼, NW¼, SW¼, and SE¼; sec. 33, lots 5 to 10, inclusive, SW¼NW¼, SW¼, and SW¼SE¼; sec. 34, lot 4;

T. 30 N., R. 54 E., secs. 1 to 24, inclusive; sec. 25, lots 3 to 5, inclusive, NE¼, NW¼, and SW¼; secs. 26 to 34, inclusive, all; sec. 35, lots 3 and 4, NE¼, NW¼, SW¼, and NW¼SE¼; sec. 36, lots 7 to 10, inclusive;

T. 27 N., R. 55 E., sec. 4, lots 3 to 5, inclusive; secs. 5 and 6, all; sec. 7, lots 1 to 4, inclusive, NW¼NE¼, and N½NW¼; sec. 8, lots 1 to 4, inclusive, and NE¼NW¼;

T. 28 N., R. 55 E., sec. 6, lots 8 and 9; sec. 7, lots 8 to 14, inclusive, and SW¼SW¼; sec. 17, lots 8 to 10, inclusive; sec. 18, lots 6 to 9, inclusive, NW¼, SW¼, and SW¼SE¼; sec. 19, lots 2 and 3, W½NE¼, NW¼, SW¼, and SE¼; sec. 20, lots 6 to 10, inclusive, SW¼, and SE¼; sec. 21, lots 8 to 12, inclusive; sec. 27, lots 7 to 9, inclusive; sec. 28, lots 5 to 14, inclusive, SW¼NW¼, N½SW¼, and SW¼SW¼; secs. 29 to 32, inclusive, all; sec. 33, lots 8 and 9;

T. 30 N., R. 55 E., sec. 4, lots 6 and 7; sec. 5, lots 2 and 3, NE¼, NW¼, SW¼, and NW¼SE¼; secs. 6 and 7, all; sec. 8, lots 4 to 7, inclusive, SW¼NE¼, NW¼, SW¼, and W½SE¼; sec. 17, lots 5 to 8, inclusive, NW¼, SW¼, and W½SE¼; sec. 18, all; sec. 19, lots 3 to 6, inclusive, NW¼NE¼, NW¼, SW¼, and S½SE¼; sec. 20, lots 8 to 13, inclusive, and SW¼SW¼; sec. 29, lots 4 and 5; sec. 30, lots 7 to 10, inclusive, N½NE¼, and NW¼.

FORT BELKNAP LAND PROJECT, LI–MT–8

BLAINE AND PHILLIPS COUNTIES, MONTANA

Montana Meridian

T. 23, N., R. 21 E., sec. 1, lots 1 to 3, inclusive, and 7; sec. 3, lot 4; sec. 4, lots 1 to 8, inclusive; sec. 5, lots 1 to 4, inclusive, and 7; sec. 6, lots 1, 3, and 4;

T. 24 N., R. 21 E., secs. 7 to 33, inclusive, all; sec. 34, lots 1 to 3, inclusive, NE¼, NW¼, N½SW¼, SW¼SW¼, and N½SE¼; sec. 35, lots 1 to 4, inclusive, NE¼, and NW¼; sec. 36, all;

Tps. 25, 26, 27 and 28 N., R. 21 E., all;

T. 23 N., R. 22 E., secs. 1 to 5, inclusive, all; sec. 6, lots 1 to 15, inclusive, 20, 21, and 29 to 32, inclusive; sec. 7, lots 1, 2, and 7 to 10, inclusive, and NE¼NE¼; sec. 8, lots 1 and 3, NE¼, NW¼, NE¼SW¼, and SE¼; secs. 9 to 16, inclusive, all; sec. 17, lots 1, 4, 5, 8, and 9, E½NE¼, and E½SE¼; sec. 19, lots 7 to 9, inclusive, and 14, and SE¼; sec. 20, all; sec. 21, lots 1 to 5, inclusive, and 9, NE¼, NW¼, NW¼SE¼, and N½SW¼SE¼; secs. 22 to 24, inclusive, all; sec. 25, lots 1 and 3, NE¼, NW¼, NE¼SW¼, and SE¼; sec. 26, lots 1 to 4, inclusive, NE¼, and N½NW¼; sec. 27, lots 1 and 2; sec. 29, lots 2 and 5; sec. 30, lots 1 and 2; sec. 36, lots 1 and 2;

T. 24 N., R. 22 E., all;

T. 25 N., R. 22 E., sec. 4, lots 3 to 16, inclusive, S½NW¼, and SW¼; secs. 5 to 8, inclusive, all; sec. 9, lots 2 to 13, inclusive, NW¼, and SW¼; sec. 13, lots 5 to 10, inclusive, SW¼, and W½SE¼; sec. 14, lots 5 to 8, inclusive, SW¼, and SE¼; sec. 15, lots 6 to 10, inclusive, SW¼, and SE¼; secs. 16 to 36, inclusive, all;

T. 26 N., R. 22 E., sec. 4, lots 5 to 11, inclusive, SW¼NE¼, S½NW¼, SW¼, and W½SE¼; secs. 5 to 8, inclusive, all; sec. 9, lots 5 to 8, inclusive, W½NE¼, NW¼, SW¼, and W½SE¼; sec. 16, lots 5 to 8, inclusive, W½NE¼, NW¼, SW¼, and W½SE¼; secs. 17 to 20, inclusive, all; sec. 21, lots 3 to 6, inclusive, W½NE¼, NW¼, SW¼, and W½SE¼; sec. 28, lots 3 to 6, inclusive, W½NE¼, NW¼, SW¼, and W½SE¼; secs. 29 to 32, inclusive, all; sec. 33, lots 3 to 6, inclusive, W½NE¼, NW¼, SW¼, and W½SE¼;

T. 27 N., R. 22 E., sec. 4, lots 5 to 18, inclusive, SW¼, and W½SE¼; secs. 5 to 8, inclusive, all; sec. 9, lots 5 to 8, inclusive, W½NE¼, NW¼, SW¼, and W½SE¼; sec. 16, lots 5 to 8, inclusive, W½NE¼, NW¼, SW¼, and W½SE¼; secs. 17 to 20, inclusive, all; sec. 21, lots 5 to 8, inclusive, W½NE¼, NW¼, SW¼, and W½SE¼; sec. 28, lots 5 to 8, inclusive, W½NE¼, NW¼, SW¼, and W½SE¼; secs. 29 to 32, inclusive all; sec. 33, lots 5 to 8, inclusive, W½NE¼, NW¼, SW¼, and W½SE¼;

T. 28 N., R. 22 E., secs. 4 to 9, inclusive, all; sec. 15, lot 1; secs. 16 to 21, inclusive, all; sec. 22, lots 1 to 4, inclusive; sec. 27, lots 1 to 4, inclusive; secs. 28 to 33, inclusive, all; sec. 34, lots 1 to 4, inclusive;

T. 29 N., R. 22 E., sec. 28, lots 7 and 8, E½SW¼, and SE¼; sec. 33, NW¼NE¼;

T. 28 N., R. 23 E., sec. 18, lots 3 and 4, and E½SW¼; sec. 20, SE¼NW¼;

T. 31 N., R. 24 E., sec. 10, SE¼SE¼.

BLACKFEET PROJECT, LI–MT–9

GLACIER AND PONDERA COUNTIES, MONTANA

Montana Meridian

T. 30 N., R. 7 W., secs. 1 to 20, inclusive, all; sec. 21, lots 3 and 4, N½, SW¼, and N½SE¼; sec. 22, lots 6 to 10, inclusive, N½NE¼; SE¼NE¼, N½NW¼, and SW¼NW¼; sec. 23, lots 5 to 8, inclusive, N½NE¼, SW¼NE¼, and NW¼; sec. 24, lots 8 to 12, inclusive, and NE¼; sec. 28, lots 4 and 5; sec. 29, lots 5 to 9, inclusive, N½NE¼, SW¼NE¼, NW¼, W½SW¼, and NW¼SE¼; sec. 30, all; sec. 31, lots 6 to 12, inclusive, and NE¼NW¼; sec. 32, lot 2;

Tps. 31, 32 and 33 N., R. 7 W., all;

T. 29 N., R. 8 W., sec. 1, lots 6 to 9, inclusive, W½NW¼, and NW¼SW¼; secs. 2 to 10, inclusive, all; sec. 11, lots 3 to 5, inclusive, NE¼NE¼, W½NE¼, NW¼, SW¼, and NW¼SE¼; sec. 12, lot 3; sec. 14, lots 5 to 8, inclusive, NW¼, and W½SW¼; secs. 15 to 21, inclusive, all; sec. 22, lot 2, NE¼, NW¼, SW¼, and W½SE¼; sec. 23, lots 6 to 8, inclusive, and W½NW¼; sec. 27, lots 6 to 8, inclusive, and N½NW¼; sec. 28, lots 5 to 8, inclusive, N½NE¼, and N½NW¼; sec. 29, lots 5 to 8, inclusive, and N½NE¼; sec. 30, lots 5 to 8, inclusive, NW¼NE¼, and N½NW¼;

T. 30 N., R. 8 W., secs. 1 to 35, inclusive, all; sec. 36, lots 2 to 5, inclusive, W½NE¼, NW¼, SW¼, and W½SE¼;

Tps. 31, 32 and 33 N., R. 8 W., all;

T. 28 N., R. 9 W., sec. 3, lots 1 to 4, inclusive, and W½NW¼; sec. 4, lot 1, NE¼, NW¼, SW¼, N½SE¼, and SW¼SE¼; secs. 5 to 7, inclusive, all; sec. 8, lots 1 to 5, inclusive, N½NE¼, NW¼, and N½SW¼; sec. 9, lots 1 to 3, inclusive; sec. 17, lot 1; sec. 18, lots 1 to 7, inclusive, NW¼NE¼, and E½NW¼;

T. 29 N., R. 9 W., secs. 1 to 24, inclusive, all; sec. 25, lots 1 to 3, inclusive, NE¼, NW¼, N½SW¼, and SW¼SW¼; secs. 26 to 33, inclusive, all; sec. 34, lots 1 to 3, inclusive, NE¼, NW¼, and SW¼; sec. 35, lots 1 to 4, inclusive, and 8, N½NW¼, and SW¼NW¼; sec. 36, lot 3;

Tps. 30, 31, 32 and 33 N., R. 9 W., all;

T. 28 N., R. 10 W., secs. 1 to 4, inclusive, all; sec. 5, lots 1 to 4, inclusive; sec. 8, lots 1 to 4, inclusive; secs. 9 to 12, inclusive, all; sec. 13, lots 1 and 2, NE¼, NW¼, SW¼, and N½SE¼; secs. 14 to 16, inclusive, all; sec. 17, lots 1 to 4, inclusive; sec. 20, lots 1 to 4, inclusive; secs. 21 and 22, all; sec. 23, lots 1 to 5, inclusive, NW¼NE¼, N½NW¼, SW¼NW¼, and NW¼SW¼; sec. 24, lots 1 and 2; sec. 26, lot 1; sec. 27, lots

1 to 4, inclusive, NW¼NE¼, and N½NW¼; sec. 28, lots 1 to 4, inclusive, and N½NE¼; sec. 29, lot 1;

T. 29 N., R. 10 W., secs. 1 to 18, inclusive, all; sec. 19, lots 1 to 4, inclusive, N½NE¼, SE¼NE¼, and NE¼NW¼; sec. 20, lot 1, NE¼, NW¼, N½SW¼, SE¼SW¼, and SE¼; secs. 21 to 27, inclusive, all; sec. 28, lots 1 and 2, NE¼, NW¼, E½SW¼, and SE¼; sec. 33, lots 1 to 4, inclusive, NE¼, E½NW¼, E½SW¼, and SE¼; secs. 34 to 36, inclusive, all;

Tps. 30, 31, 32, 33 and 34 N., R. 10 W., all;

T. 29 N., R. 11 W., secs. 1 and 2, all; sec. 3, lots 1 and 2, NE¼, NW¼, NE¼SW¼, and SE¼; sec. 4, lots 1 to 3, inclusive, and NE¼NE¼; sec. 10, lots 1 and 2; sec. 11, lots 1 to 3, inclusive, NE¼, E½NW¼, NW¼NW¼, N½SE¼, and SE¼SE¼; sec. 12, all; sec. 13, lots 1 to 4, inclusive, NE¼, NE¼NW¼, and NE¼SE¼; sec. 24, lot 1;

T. 30 N., R. 11 W., secs. 1 to 29, inclusive, all; sec. 30, lots 1 to 4, inclusive, NE¼, NE¼NW¼, and NE¼SE¼; sec. 31, lot 1; sec. 32, lots 1 to 4, inclusive, N½NE¼, and SE¼NE¼; sec. 33, lot 1, NE¼, NW¼, N½SW¼, SE¼SW¼, and SE¼; secs. 34 to 36, inclusive, all;

Tps. 31, 32, 33, and 34 N., R. 11 W., all;

T. 30 N., R. 12 W., secs. 1 to 4, inclusive, all; sec. 5, lots 1 to 4, inclusive, NE¼, N½NW¼, and NE¼SE¼; sec. 6, lot 1; sec. 8, lot 1; sec. 9, lots 1 to 4, inclusive, N½NE¼, SE¼NE¼, and NE¼NW¼; sec. 10, lot 1, NE¼, NW¼, N½SW¼, SE¼SW¼, and SE¼; secs. 11 to 13, inclusive, all; sec. 14, lots 1 to 8, inclusive, NE¼NE¼, W½NW¼, NE¼SW¼, and S½SE¼; sec. 15, lots 1 to 3, inclusive, and N½NE¼; sec. 23, lots 1 and 2, and NE¼NE¼; sec. 24, lots 1 to 3, inclusive, NE¼, N½NW¼, SE¼NW¼, and N½SE¼; sec. 25, lot 1;

T. 31 N., R. 12 W., secs. 1 to 30, inclusive, all; sec. 31, lots 1 to 4, inclusive, and 8, NE¼, E½NW¼, N½SE¼, and SE¼SE¼; secs. 32 to 36, inclusive, all;

Tps. 32, 33 and 34 N., R. 12 W., all;

T. 31 N., R. 13 W., secs. 1 and 2, all; sec. 3, lots 1 to 4, inclusive, NE¼, NE¼NW¼, N½SE¼, and SE¼SE¼; sec. 10, lots 1 to 4, inclusive, and NE¼NE¼; secs. 11 to 13, inclusive, all; secs. 14, lots 1 to 4, inclusive, NE¼, E½NW¼, and SE¼; sec. 23, lots 1 to 4, inclusive, and E½NE¼; sec. 24, all; sec. 25, lots 1 to 4, inclusive, NE¼, E½NW¼, NE¼SW¼, and SE¼; sec. 26, lot 1; sec. 36, lots 1 and 2, and NE¼NE¼;

T. 32 N., R. 13 W., secs. 1 to 5, inclusive, all; sec. 6, lots 1 and 2; sec. 8, lots 1 to 4, inclusive, NE¼, E½NW¼, and SE¼; secs. 9 to 16, inclusive, all; sec. 17, lots 1 to 4, inclusive, E½NE¼, and NE¼SE¼; sec. 20, lot 1; sec. 21, lots 1 to 3, inclusive, NE¼, N½NW¼, SE¼NW¼, E½SW¼, and SE¼; secs. 22 to 27, inclusive, all; sec. 28, lots 1 to 7, inclusive, and N½NE¼; sec. 33, lots 1 to 3, inclusive; sec. 34, lots 1 to 4, inclusive, S½NE¼, NW¼NW¼, S½NW¼, N½SW¼, SE¼SW¼, and SE¼; secs. 35 and 36, all;

T. 33 N., R. 13 W., secs. 1 to 18, inclusive, all; sec. 19, lots 1 to 4, inclusive, NE¼, E½NW¼, and SE¼; secs. 20 to 29, inclusive, all; sec. 30, lots 1 to 4, inclusive, E½NE¼, and NE¼SE¼; sec. 31, lots 1 and 2; sec. 32, lots 1 and 2, NE¼, NW¼, E½SW¼, and SE¼; secs. 33 to 36, inclusive, all;

T. 34 N., R. 13 W., secs. 1 to 3, and 9 to 16, inclusive, all; sec. 20, SW¼ and SE¼; secs. 21 to 29, and 32 to 36, inclusive, all;

T. 33 N., R. 14 W., sec. 1, lots 1 and 2, NE¼, NW¼, E½SW¼, and SE¼; sec. 2, lots 1 and 2; sec. 12, lots 1 to 4, inclusive, NE¼, N½SE¼, and SE¼SE¼; sec. 13, lots 1 to 4, inclusive, and NE¼NE¼; sec. 24, lot 1.

STANDING ROCK PROJECT, LI–ND–10

SIOUX COUNTY, NORTH DAKOTA

Fifth Principal Meridian

T. 132 N., R. 79 W., secs. 6 and 7, all; sec. 9, lots 4 to 7, inclusive, and W½SW¼; sec. 15, lot 5; sec. 16, lots 1 to 4, inclusive, W½, and W½SE¼; secs. 17 and 18, all; sec. 19, NE¼; secs. 20 and 21, all; sec. 22, lots 5 to 7, inclusive; sec. 28, lots 1 and 2, NW¼NE¼, and NW¼; sec. 29, NE¼;

T. 133 N., R. 79 W., sec. 1, lots 5, 6, and 9 to 12, inclusive; secs. 2 to 4, and 9 to 11, inclusive, all; sec. 12, lots 5 to 8, inclusive, SW¼NW¼, and W½SW¼; sec. 13, lots 1 to 4, inclusive, W½NW¼, SE¼NW¼, and SW¼; secs. 14 to 16, and 21 to 23, inclusive,

all; sec. 24, lots 1, 2, 4 and 5, W½, and W½NW¼SE¼; sec. 25, lots 3 to 6, inclusive, and W½NW¼; secs. 26 to 28, inclusive, all;

T. 130 N., R. 80 W., secs. 5 and 6, all; sec. 20, E¼; secs. 21 and 22, all; sec. 27, N½; sec. 28, N½; sec. 29, all;

T. 131 N., R. 80 W., secs. 8 and 9, all; sec. 10, S½; secs. 15 to 17, inclusive, all; sec. 18, E½; secs. 19 to 22, inclusive, all; sec. 27, N½; sec. 28, N½; secs. 29 to 32, inclusive, all;

T. 132 N., R. 80 W., secs. 1, 12, and 13;

T. 130 N., R. 81 W., secs. 1 to 11, inclusive, all; sec. 12, N½; sec. 14, N½; sec. 15, N½; sec. 16, N½; sec. 17, N½;

T. 131 N., R. 81 W., secs. 4 to 8, inclusive, all; sec. 16, NW¼ and S½; secs. 17, 18, 20, 21, and 25, all; sec. 27, S½; secs. 28, 29, and 33 to 36, inclusive, all;

T. 132 N., R. 81 W., secs. 5 to 9, and 16 to 20, inclusive, all; sec. 21, W½; sec. 28, NW¼ and S½; secs. 29 to 33, inclusive, all;

T. 131 N., R. 82 W., secs. 1 and 2, all; sec. 3, N½; sec. 12, E½;

T. 132 N., R. 82 W., secs. 2 to 11, inclusive, all; sec. 12, S½; secs. 13 to 18, 20 to 27, and 34 to 36, inclusive, all;

T. 133 N., R. 82 W., sec. 15, lot 4; sec. 20, lots 1 to 4, inclusive, and NE¼SE¼; sec. 21, lots 1 to 5, inclusive, and SW¼SW¼; sec. 22, lots 1 to 6, inclusive, S½NE¼, SE¼NW¼, NE¼SW¼, S½SW¼, and SE¼; secs. 23, 26, and 27, all; sec. 28, lots 1 to 3, inclusive, E½, E½NW¼, and NW¼NW¼; sec. 29, lots 1 to 3, inclusive; sec. 32, lots 1 to 6, inclusive, S½NE¼, SE¼SW¼, and SE¼; sec. 33, lots 1 and 2, NE¼, S½NW¼, and S½; secs. 34 and 35, all;

T. 132 N., R. 83 W., sec. 1, all; sec. 2, lots 1 to 3, inclusive; sec. 3, lots 1 and 2, and SE¼SE¼; sec. 10, lots 1 to 3, inclusive, and E½; sec. 11, lots 1 and 2, NE¼NE¼, S½NE¼, NW¼NW¼, S½NW¼, and S½; secs. 12 to 14, inclusive, all; sec. 15, NE¼; secs. 23 and 24, all.

CORSON COUNTY, SOUTH DAKOTA

Black Hills Meridian

T. 20 N., R. 20 E., secs. 13 to 15, and 21 to 27, inclusive, all; sec. 28, E½; sec. 33, NE¼; sec. 34, N½; sec. 35, N½ and SE¼; sec. 36, all;

T. 20 N., R. 21 E., sec. 18, all; sec. 19, W½; sec. 30, W½; sec. 31, W½;

T. 20 N., R. 23 E., secs. 1 to 4, inclusive, all; sec. 10, NE¼; sec. 11, N ½; sec. 12, all;

T. 21 N., R. 23 E., secs. 16, 17, and 19 to 21, inclusive, all; sec. 22, S½; sec. 23, S½; sec. 24, NE¼ and S½; secs. 25 to 30, inclusive, all; sec. 31, E½; secs. 32 to 36, inclusive all;

T. 20 N., R. 24 E., secs. 2 to 10, inclusive, all; sec. 11, N½; secs. 15 to 18, inclusive, all; sec. 19, N½; sec. 20, N½; sec. 21, N½;

T. 21 N., R. 24 E., secs. 14 to 17, inclusive, all; sec. 18, E½; secs. 19 to 23, and 25 to 36, inclusive, all;

T. 19 N., R. 26 E., secs. 1, 2, 11, and 12;

T. 20 N., R. 26 E., sec. 10, S½; sec. 11, S½; sec. 12, S½; secs. 13 to 15, and 22 to 27, inclusive, all; sec. 34, E½; secs. 35 and 36, all;

T. 19 N., R. 27 E., sec. 4, W½; secs. 5 to 7, inclusive, all;

T. 20 N., R. 27 E., sec. 1, S½; sec. 2, all; sec. 7, S½; sec. 8, S½; sec. 9, S½; sec. 10, NE¼ and S½; secs. 11 to 36, inclusive, all;

T. 19 N., R. 28 E., secs. 1 to 6, inclusive, all; sec. 7, N½; secs. 8 to 17, and 21 to 24, inclusive, all;

T. 20 N., R. 28 E., sec. 6, SW¼; sec. 7, all; sec. 14, S½; secs. 15 to 23, inclusive, all; sec. 25, W½; secs. 26 to 36, inclusive, all;

T. 19 N., R. 29 E., sec. 4, S½; secs. 5 to 9, and 16 to 21, inclusive, all;

T. 20 N., R. 29 E., sec. 31;

T. 22 N., R. 29 E., sec. 2, SW¼; sec. 3, S½; secs. 4 to 6, and 8 to 17, inclusive, all; sec. 20, E½; secs. 21 to 24, and 26 to 28, inclusive, all;

T. 23 N., R. 29 E., sec. 31, S½; sec. 32 SW¼;

T. 20 N., R. 30 E., secs. 1 to 3, 10 to 15, and 22 to 24, inclusive, all; sec. 25, lots 1 and 2, N½, N½SW¼, and SE¼; sec. 26, lots 1 to 4, inclusive, N½, and N½SW¼; sec. 27,

lots 1 and 2, N½, SW¼, and N½SE¼; sec. 34, lots 1 to 3, inclusive, and NW¼NW¼; sec. 36, lots 1 and 2;

T. 21 N., R. 30 E., secs. 2 to 11, 13 to 16, 21 to 28, and 33 to 36, inclusive;

T. 22 N., R. 30 E., secs. 32 to 34, inclusive;

Tps. 20 and 21 N., R. 31 E., all.

FORT TOTTEN PROJECT, LI–ND–11

BENSON COUNTY, NORTH DAKOTA

Fifth Principal Meridian

T. 152 N., R. 65 W., sec. 17, lots 4 and 5, and SW¼NW¼; sec. 18, lots 5 to 10, inclusive and S½NE¼; sec. 19, all; sec. 20, SW¼; sec. 29, E½NW¼ and NW¼NW¼; sec. 30, E½NW¼.

DELAWARE PROJECT, LL–OK–4

DELAWARE COUNTY, OKLAHOMA

Indian Meridian

T. 21 N., R. 22 E., secs. 1 to 3, 10 to 15, 22 to 27, and 34 to 36, inclusive;

T. 21 N., R. 23 E., all.

ADAIR PROJECT, LI–OK–5

ADAIR COUNTY, OKLAHOMA

Indian Meridian

T. 14 N., R. 25 E., secs. 1 to 3, 10 to 15, 22 to 27, and 34 to 36, inclusive;

T. 14 N., R. 26 E., all.

BURNS COLONY PROJECT, LI–OR–5

HARNEY COUNTY, OREGON

Williamette Meridian

T. 23 S., R. 30 E., sec. 1, all; sec. 12, N½NE¼ and E½NW¼.

PINE RIDGE PROJECT, LI–SD–7

BENNETT, SHANNON, WASHABAUGH AND WASHINGTON COUNTIES, SOUTH DAKOTA

Sixth Principal Meridian

T. 39 N., R. 33 W., sec. 4, lots 3 to 5, inclusive, 8 and 9, SW¼NW¼, and W½SW¼; secs. 5 to 8, inclusive, all; sec. 9, lots 2, 3, 6 and 7, W½NW¼, and W½SW¼; sec. 16, lots 2, 3, 6 and 7, W½NW¼, and W½SW¼; secs. 17 to 20, inclusive, all; sec. 21, lots 2, 3, 6 and 7, W½NW¼, and W½SW¼; sec. 28, lots 2, 3, 6 and 7, W½NW¼, and W½SW¼; secs. 29 to 32, inclusive, all; sec. 33, lots 2, 3, 6 and 7, W½NW¼, and W½SW¼;

T. 40 N., R. 33 W., sec. 4, lots 7 to 11, inclusive, SW¼NW¼, and W½SW¼; secs. 5 to 8, inclusive, all; sec. 9, lots 5 to 8, inclusive, W½NW¼, and W½SW¼; sec. 16, lots 5 to 8, inclusive, W½NW¼, and W½SW¼; secs. 17 to 20, inclusive, all; sec. 21, lots 5 to 8, inclusive, W½NW¼, and W½SW¼; sec. 28, lots 5 to 8, inclusive, W½NW¼, and W½SW¼; secs. 29 to 32, inclusive, all; sec. 33, lots 5 to 8, inclusive W½NW¼, and W½SW¼;

Tps. 39 and 40 N., Rs. 34, 35, 36, 37 and 38 W., all;

T. 38 N., R. 39 W., secs. 1 to 18, inclusive;

Tps. 39, 40, 41 and 42 N., R. 39 W., all;

T. 43 N., R. 39 W., sec. 31, S½;

Tps. 38, 39, 40, 41, 42 and 43 N., R. 40 W., all;

Tps. 38, 39, 40 and 41 N., R. 41 W., all;
T. 42 N., R. 41 W., secs. 1 to 3, 10 to 15, 22 to 27, and 34 to 36, inclusive;
Tps. 38, 39 and 40 N., R. 42 W., all;
T. 37 N., R. 43 W., secs. 4 to 9, 16 to 21, and 28 to 33, inclusive;
Tps. 38, 39 and 40 N., R. 43 W., all;
Tps. 36, 37, 38, 39 and 40 N., R. 44 W., all;
T. 35 N., R. 45 W., secs. 4 to 9, and 16 to 18, inclusive, all; sec. 19, lots 1 to 4, inclusive; sec. 20, lots 1 to 4, inclusive; sec. 21, lots 1 to 4, inclusive;
Tps. 36, 37, 38, 39 and 40 N., R. 45 W., all;
T. 35 N., R. 46 W., secs. 1 to 18, inclusive, all; sec. 19, lots 1 to 4, inclusive; sec. 20, lots 1 to 4, inclusive; sec. 21, lots 1 to 4, inclusive; sec. 22, lots 1 to 4, inclusive; sec. 23, lots 1 to 4, inclusive; sec. 24, lots 1 to 4, inclusive;
Tps. 36, 37, 38, 39 and 40 N., R. 46 W., all;
T. 35 N., R. 47 W., secs. 1 to 18, inclusive, all; sec. 19, lots 1 to 4, inclusive; sec. 20, lots 1 to 4, inclusive; sec. 21, lots 1 to 4, inclusive; sec. 22, lots 1 to 4, inclusive; sec. 23, lots 1 to 4, inclusive; sec. 24, lots 1 to 4, inclusive;
Tps. 36, 37, 38, 39 and 40 N., R. 47 W., all;
T. 35 N., R. 48 W., secs. 1 to 4, inclusive, all; sec. 5, lots 1 to 4, inclusive, and E½; sec. 8, lots 1 to 4, inclusive, and E½; secs. 9 to 16, inclusive, all; sec. 17, lots 1 to 4, inclusive, and E½; sec. 20, lots 1 to 3, inclusive; sec. 21, lots 1 to 4, inclusive; sec. 22, lots 1 to 4, inclusive; sec. 23, lots 1 to 4, inclusive; sec. 24, lots 1 to 4, inclusive;
Tps. 36, 37, 38, 39 and 40 N., R. 48 W., all.

CUTMEAT PROJECT, LI–SD–8

TODD COUNTY, SOUTH DAKOTA

Sixth Principal Meridian

T. 36 N., R. 31 W., secs. 2 to 11, 14 to 23, and 26 to 35, inclusive;
T. 37 N., R. 31 W., secs. 1 to 24, and 26 to 35, inclusive;
T. 38 N., R. 31 W., all;
Tps. 36, 37 and 38 N., R. 32 W., all;
T. 36 N., R. 33 W., secs. 1, 2, 12, 13, 24, and 25, all; sec. 36, N½ and SE¼;
T. 37 N., R. 33 W., secs. 1 to 3, inclusive, all; sec. 4, lots 1, 2, 6, 7, and 10, SE¼NE¼, and E½SE¼; sec. 9, lots 1, 4, 5, and 8, E½NE¼, and E½SE¼; secs. 10 to 15, inclusive, all; sec. 16, lots, 1, 4, 5, and 8, E½NE¼, and E½SE¼; secs. 23 to 26, inclusive, 35 and 36, all;
T. 38 N., R. 33 W., secs. 1 to 3, inclusive, all; sec. 4, lots 1, 2, 6, 7, and 10, SE¼NE¼, and E½SE¼; sec. 9, lots 1, 4, 5, and 8, E½NE¼, and E½SE¼; secs. 10 to 15, inclusive, all; sec. 16, lots 1, 4, 5, and 8, E½NE¼, and E½SE¼; sec. 21, lots 1, 4, 5, and 8, E½NE¼, and E½SE¼; secs. 22 to 27, inclusive, all; sec. 28, lots 1, 4, 5, and 8, E½NE¼, and E½SE¼; sec. 33, lots 1, 4, 5, and 8, E½NE¼, and E½SE¼; secs. 34 to 36, inclusive, all.

ANTELOPE PROJECT, LI–SD–9

TODD COUNTY, SOUTH DAKOTA

Sixth Principal Meridian

Tps. 36, 37, 38 and 39 N., Rs. 25, 26, 27, 28, 29 and 30 W., all;
T. 36 N., R. 31 W., secs. 1, 12, 13, 24, 25, and 36;
T. 37 N., R. 31 W., secs. 25 and 36;
T. 39 N., Rs. 31 and 32 W., all;
T. 39 N., R. 33 W., secs. 1 to 3, inclusive, all; sec. 4, lots 1, 2, 6, 7, and 10, SE¼NE¼, and E½SE¼; sec. 9, lots 1, 4, 5, and 8, E½NE¼, and E½SE¼; secs. 10 to 15, inclusive, all; sec. 16, lots 1, 4, 5, and 8, E½NE¼, and E½SE¼; sec. 21, lots 1, 4, 5, and 8, E½NE¼, and E½SE¼; secs. 22 to 27, inclusive, all; sec. 28, lots 1, 4, 5, and 8, E½NE¼, and E½SE¼; sec. 33, lots 1, 4, 5, and 8, E½NE¼, and E½SE¼; secs. 34 to 36, inclusive, all.

CROW CREEK—BRULE PROJECT, LI–SD–10

BUFFALO, HUGHES, HYDE, LYMAN AND STANLEY COUNTIES, SOUTH DAKOTA

Fifth Principal Meridian

T. 106 N., R. 69 W., secs. 4 to 9, 16 to 21, and 28 to 33, inclusive;
T. 107 N., R. 69 W., secs. 16 to 21, and 28 to 33, inclusive;
T. 106 N., R. 70 W., all;
T. 107 N., R. 70 W., secs. 5 to 8, and 13 to 36, inclusive;
T. 105 N., R. 71 W., sec. 4, lots 6 to 8, inclusive; secs. 5 and 6, all; sec. 7, lots 5 to 12, inclusive; sec. 8, lots 1, 2, 5, and 6, and N½NW¼;
Tps. 106, 107 and 108 N., R. 71 W., all;
T. 109 N., R. 71 W., secs. 19 to 36, inclusive;
T. 105 N., R. 72 W., secs. 1 to 6, inclusive, all; sec. 7, lots 7 to 10, inclusive; sec. 8, lots 5 to 8, inclusive; sec. 9, lots 5 to 8, inclusive; sec. 10, lots 5 to 8, inclusive; sec. 11, lots 5 to 8, inclusive; sec. 12, lots 5 to 8, inclusive;
Tps. 106, 107, 108 and 109 N., R. 72 W., all;
T. 106 N., R. 73 W., sec. 1, lots 5 to 12, inclusive; sec. 2, lots 5 to 12, inclusive; sec. 3, lots 5 to 12, inclusive; sec. 4, lots 5 to 12, inclusive; sec. 5, lots 5 to 12, inclusive; sec. 6, lots 6 to 13, inclusive;
Tps. 107, 108 and 109 N., R. 73 W., all;
T. 106 N., R. 74 W., sec. 1, lots 5 to 12, inclusive; sec. 2, lots 5 to 12, inclusive; sec. 3, lots 5 to 12, inclusive; sec. 4, lots 5 to 12, inclusive; sec. 5, lots 5 to 12, inclusive; sec. 6, lots 6 to 13, inclusive;
Tps. 107, 108 and 109 N., R. 74 W., all;
T. 106 N., R. 75 W., sec. 1, lots 5 to 12, inclusive; sec. 2, lots 5 to 12, inclusive; sec. 3, lots 5 to 12, inclusive; sec. 4, lots 5 to 12, inclusive; sec. 5, lots 5 to 12, inclusive; sec. 6, lots 6 to 13, inclusive;
Tps. 107 and 108 N., R. 75 W., all;
T. 109 N., R. 75 W., sec. 7, lot 8; sec. 18, lots 4 to 7, inclusive; secs. 19 to 36, inclusive; all;
T. 106 N., R. 76 W., sec. 1, lots 5 to 8, inclusive, N½NE¼, and N½NW¼; sec. 2, lots 5 to 8, inclusive, N½NE¼, and N½NW¼; sec. 3, lots 5 to 8, inclusive, N½NE¼, and N½NW¼; sec. 4, lots 5 to 8, inclusive, N½NE¼, and N½NW¼; sec. 5, lots 5 to 8, inclusive, N½NE¼, and N½NW¼; sec. 6, lots 6 to 10, inclusive, N½NE¼, and NE¼NW¼;
Tps. 107 and 108 N., R. 76 W., all;
T. 109 N., R. 76 W., sec. 5, lots 9 to 11, inclusive; secs. 6 to 36, inclusive, all;
T. 106 N., R. 77 W., sec. 1, lots 5 to 12, inclusive; sec. 2, lots 5 to 12, inclusive; sec. 3, lots 5 to 12, inclusive;
T. 107 N., R. 77 W., secs. 1 to 3, 10 to 15, 22 to 27, and 34 to 36, inclusive;
T. 108 N., R. 77 W., secs. 1 to 3, 10 to 15, 22 to 27, and 34 to 36, inclusive;
T. 109 N., R. 77 W., secs. 1 to 3, 10 to 15, 22 to 27, and 34 to 36, inclusive;
T. 110 N., R. 77 W., secs. 34 to 36, inclusive.

CHEYENNE INDIAN PROJECT, LI–SD–13

DEWEY COUNTY, SOUTH DAKOTA

Black Hills Meridian

T. 16 N., Rs. 27, 28, 29, 30 and 31 E., all.

BAD RIVER PROJECT, LI–WI–N8

ASHLAND AND IRON COUNTIES, WISCONSIN

Fourth Principal Meridian

T. 47 N., R. 1 W., sec. 3, lots 1 and 2; secs. 4 to 9, inclusive, all; sec. 10, lots 1 to 4, inclusive; sec. 15, lots 1 to 4, inclusive; secs. 16 to 18, inclusive, all;
T. 48 N., R. 1 W., secs. 32 and 33;
Tps. 46, 47 and 48 N., Rs. 2 and 3 W., all;
T. 48 N., R. 4 W., secs. 24, 25, and 36.

LAC COURT PROJECT, LI–WI–9

SAWYER COUNTY, WISCONSIN

Fourth Principal Meridian

T. 40 N., R. 6 W., secs. 1 to 4, inclusive;
T. 38 N., R. 7 W., sec. 6, W½NE¼NW¼, NW¼NW¼, SW¼NW¼, and W½SE¼NW¼;
T. 39 N., R. 7 W., secs. 1 to 21, and 28 to 33, inclusive;
T. 40 N., R. 7 W., secs. 5 to 7, 16 to 20, and 31 to 33, inclusive;
T. 38 N., R. 8 W., sec. 1, E½NE¼NE¼ and NE¼SE¼NE¼; secs. 4 to 9, inclusive, 17, and 18, all;
Tps. 39 and 40, N., R. 8 W., all;
T. 38 N., R. 9 W., secs. 1, 12, and 13;
T. 39 N., R. 9 W., secs. 24, 25, and 36.

STOCKBRIDGE PROJECT, LI–WI–11

SHAWANO COUNTY, WISCONSIN

Fourth Principal Meridian

T. 28 N., R. 13 E., secs. 1 to 5, 8 to 16, and 21 to 28, inclusive, 33, and 34;
T. 28 N., R. 14 E., secs. 3 to 10 and 15 to 22, inclusive, 29, and 30.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *April 15, 1938.*

[No. 7868]

EXTENSION OF TRUST PERIODS ON INDIAN LANDS EXPIRING DURING CALENDAR YEAR 1939

By virtue of and pursuant to the authority vested in me by section 5 of the act of February 8, 1887, 24 Stat. 388, 389, by the act of June 21, 1906, 34 Stat. 325, 326, and by the act of March 2, 1917, 39 Stat. 969, 976, it is hereby ordered that the periods of trust applying to any Indian lands, whether of a tribal or individual status, which, unless extended, will expire during the calendar year 1939, be, and they are hereby, extended for a further period of 25 years from the date on which any such trust would otherwise expire.

This order is not intended to apply to any case in which the Congress has specifically reserved to itself authority to extend the period of trust on tribal or individual Indian lands.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *October 7, 1938.*

[No. 7984]

ALASKA

WITHDRAWAL OF PUBLIC LANDS FOR THE USE OF THE DEPARTMENT OF THE INTERIOR 1939

By virtue of and pursuant to the authority vested in me by the act of June 25, 1910 (ch. 421, 36 Stat. 847), as amended by the act of August 24, 1912 (ch. 369, 37 Stat. 497), and subject to the conditions therein expressed and to valid existing rights, it is ordered that the following-described lands in the Territory of Alaska be, and they are hereby, temporarily withdrawn from settlement, location, sale, or entry and reserved for the Department of the Interior, as a site for school purposes, at Pilot Point (Ugashik), Alaska, for use by the Office of Indian Affairs:

UGASHIK SCHOOL SITE

Beginning at point no. 1, identical with corner no. 6, U. S. survey no. 891, latitude 57°37′ N., longitude 157°40′ W., approximate. Thence from said initial point, along east boundary of survey no. 891, 10 chs. to point no. 2; thence N. 80°30′ E., 13.5 chs. to point no. 3 on shore of lake; thence with meanders of said lake, southeasterly, 12 chs. to point no. 4; thence S. 80°30′ W., 16 chs. to point of beginning, containing approximately 16 acres.

This order shall continue in full force and effect unless and until revoked by the President or by act of Congress.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 17, 1935.*

[No. 7079]

ARIZONA

WITHDRAWAL OF PUBLIC LANDS FOR USE IN CONNECTION WITH SAN CARLOS INDIAN IRRIGATION PROJECT, ARIZONA

Under authority of the act of Congress approved June 25, 1910 (36 Stat. 847), as amended by the act of August 24, 1912 (37 Stat. 497), it is hereby ordered that the following described tracts of public lands in Arizona be, and they are hereby, withdrawn from settlement, location, sale, or entry, except as provided in said acts, for use in connection with the San Carlos Indian Irrigation Project, subject to any valid rights or claims initiated prior to March 24, 1931:

GILA AND SALT RIVER MERIDIAN

T. 4 S., R. 11 E., sec. 1, S. ½ SW. ¼ and SE. ¼; sec. 2, S. ½ SE. ¼; sec. 11, lots 1, 2, 3, 8, and 9 and NE. ¼ NE. ¼; sec. 12, all; sec. 13, N. ½ and N. ½ S. ½; sec. 14, NE. ¼ and N. ½ SE. ¼;

T. 4 S., R. 12 E., sec. 1, all; sec. 2, all; sec. 3, S. ½; sec. 4, S. ½; sec. 5, all; sec. 6, all; sec. 7, all; sec. 8, N. ½; sec. 9, N. ½; sec. 10, N. ½;

T. 4 S., R. 13 E., sec. 5, all; sec. 6, all;

T. 5 S., R. 15 E., sec. 12, SE. ¼; sec. 13, E. ½; sec. 24, NE. ¼;

T. 4 S., R. 16 E., sec. 28, all (N. ½ unsurveyed);

T. 5 S., R. 16 E., sec. 7, all (partly unsurveyed).

This order shall continue in full force and effect unless and until revoked by the President or by act of Congress.

HERBERT HOOVER.

THE WHITE HOUSE, *April 24, 1931.*

[No. 5611]

WITHDRAWAL OF PUBLIC LANDS FOR USE IN CONNECTION WITH SAN CARLOS INDIAN IRRIGATION PROJECT, ARIZONA

Under authority of the act of Congress approved June 25, 1910 (36 Stat. 847–848), as amended by the act of August 24, 1912 (37 Stat. 497), it is hereby ordered that the following-described tracts of public lands in New Mexico be, and they are hereby, withdrawn from settlement, location, sale, or entry, except as provided in said acts, for use in connection with the San Carolos Indian Irrigation Project, subject to any valid rights or claims initiated prior to the date hereof:

NEW MEXICO PRINCIPAL MERIDIAN

T. 18 S., R. 17 W., sec. 5, all; sec. 6, E. ½; sec. 7, all; sec. 8, N. ½; sec. 18, N. ½ and SW. ¼.

T. 18 S., R. 18 W., sec. 12, E. ½; secs. 13 to 23 inclusive, all; sec. 24, N. ½; sec. 26, N. ½; secs. 27 to 32 inclusive, all; sec. 33, E. ½ NE. ¼, NW. ¼ NE. ¼, NE. ¼ NW. ¼,

W. ½ NW. ¼, SW. ¼ and NE. ¼ SE. ¼; sec. 34, N. ½, N. ½ SW. ¼, SE. ¼ SW. ¼, and SE. ¼; sec. 35, all.

T. 19 S., R. 18 W., sec. 4, all; sec. 5, all; sec. 6, all; sec. 7, N. ½ N. ½, SW. ¼ SW. ¼, and SE. ¼ SE. ¼; sec. 8, all.

T. 18 S., R. 19 W., secs. 13, 24, 25, 29, 32 to 36 inclusive, all.

T. 19 S., R. 19 W., secs. 1 to 5 inclusive, 8 to 12 inclusive, 15 to 22 inclusive, 30, and 31, all.

T. 19 S., R. 20 W., secs. 7 to 24 inclusive, all.

This order shall continue in full force and effect unless and until revoked by the President or by act of Congress.

HERBERT HOOVER.

THE WHITE HOUSE, *July 16, 1932.*

[No. 5889]

CALIFORNIA

EXTENSION OF TRUST PERIOD ON ALLOTMENTS OF KLAMATH RIVER INDIANS OF CALIFORNIA

It is hereby ordered, under authority contained in section 5 of the act of February 8, 1887 (24 Stat. 388–389), that the trust period on the allotments made to Indians of the Klamath River Reservation in California, which trust period expires during the calendar year 1930, be, and is hereby, extended for a further period of ten years, with the exception of the following:

Allotment Number	*Name of Allottee*
10	Thomas Jack (deceased)
11	Susan Jack (deceased)
58	John George (deceased)
103	Nellie Saunders
137	Samuel Yocta (deceased)
147	Josie Suppur (deceased)
153	James Williams (deceased)

HERBERT HOOVER.

THE WHITE HOUSE, *August 4, 1930.*

[No. 5416]

EXTENSION OF TRUST PERIOD ON LANDS OF AGUA CALIENTE BAND OF INDIANS, CALIFORNIA

It is hereby ordered, under authority contained in the act of March 2, 1917 (39 Stats. 969–976), that the period of trust on lands patented to the Agua Caliente Band of Mission Indians in California, which trust expires during the calendar year 1931, be, and the same is hereby, extended for a period of 10 years.

HERBERT HOOVER.

THE WHITE HOUSE, *March 16, 1931.*

[No. 5580]

WITHDRAWAL OF PUBLIC LANDS IN AID OF LEGISLATION AND REVOCATION OF EXECUTIVE ORDER NO. 1529 OF MAY 9, 1912

Under authority contained in the act of June 25, 1910 (36 Stat. 847–848), as amended by the act of August 24, 1912 (37 Stat. 497), and subject to the conditions, provisions, and limitations of said acts, it is hereby ordered that the unappropriated public lands in the townships hereinafter described be, and the same are hereby, withdrawn from settlement, location, sale, entry, and all forms of appropriation, subject to all valid existing rights, for classification and in aid of legislation:

MOUNT DIABLO MERIDIAN, CALIFORNIA

All T. 4. N., R. 26 E.;
All T. 4 N., R. 27 E.;
All secs. 35 and 36 not within the national forest, T. 1 N., R. 28 E.;
All T. 1 N., R. 29 E.;
All T. 1 N., R. 30 E.;
All secs. 19, 28, 29, 30, 31, 32, and 33, T. 1 N., R. 31 E.;
All secs. 28, 29, 31, 32, 33, and 34, T. 1 N., R. 32 E.;
All secs. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15, T. 1 S., R. 30 E.;
All sec. 1, SE. ¼ sec. 2, all secs. 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 18, and 19, SW. ¼ SE. ¼ sec. 20, all secs. 21, 22, 23, 24, 25, 26, 27, 28, 30, 31, 33, 34, 35, and 36, T. 1 S., R. 31 E.;
All secs. 1, 2, and 3, SW. ¼ NW. ¼, W. ½ SW. ¼ sec. 4, NW.¼ NE. ¼, NE. ¼ NW. ¼ sec. 5, all secs. 6, 7, 10, 11, 12, 13, 14, 15, 16, 18, 23, 24, 25, 26, 35, and 36, T. 2 S., R. 31 E.;
All secs. 1, 2, 11, 12, 13, 14, 23, 24, 25, 26, 35, and 36, T. 3 S., R. 31 E.;
All secs. 1, 2, 11, 12, 13, 14, 23, 24, 25, 26, and 35, T. 4 S., R. 31 E.;
All secs. 1, 2, 11, 12, 13, 14, E. ½, E. ½ W. ½, W. ½ NW. ¼ sec. 15, E. ½ sec. 22, all secs. 23, 24, 25, 26, E. ½ E. ½ sec. 27, and N. ½, SE. ¼, E. ½ SW. ¼ sec. 35, T. 5 S., R. 31 E.;
All secs. 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, and 34, T. 1 S., R. 32 E.;
All secs. 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23, W. ½ sec. 24, all secs. 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36, T. 2 S., R. 32 E.;
All T. 3 S., R. 32 E.;
All secs. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35, T. 4 S., R. 32 E.;
All secs. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11, W. ½ W. ½, NE. ¼ NW. ¼, N. ½ NE. ¼ sec. 12, E. ½ NW. ¼, NE. ¼ SW. ¼, W. ½ W. ½ sec. 13, all secs. 14, 15, 17, 18, 19, 20, 21, and 22, N. ½, N. ½ S. ½, S. ½ SW. ¼, SW. ¼ SE. ¼ sec. 23, NW. ¼ sec. 24, SW. ¼ sec. 25, S. ½, NW. ¼, SW. ¼ NE. ¼ sec. 26, all secs. 27, 28, 29, 30, 31, 32, 33, 34, and 35, T. 5 S., R. 32 E.;
All secs. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, N. ½, N. ½ S. ½, S. ½ SW. ¼, SW. ¼ SE. ¼ sec. 12, W. ½, W. ½ NE. ¼ sec. 13, all secs. 14, 15, 17, 18, N. ½, NW. ¼ SW. ¼ sec. 20, N. ½ N. ½, S. ½ NW. ¼ sec. 22, and NW. ¼ NW. ¼ sec. 23, T. 6 S., R. 32 E.;
All secs. 6, 7, 18, 19, S. ½ sec. 20, all secs. 29, 30, 31, and 32, T. 3 S., R. 33 E.; and
All secs. 5, 6, 7, 8, SW. ¼ sec. 16, all secs. 17, 18, 19, 20, and W. ½ sec. 21, T. 4 S., R. 33 E.

This order shall continue in full force and effect unless and until revoked by the President or by act of Congress.

Executive Order No. 1529, dated May 9, 1912, which temporarily reserved a part of the above-described lands until their suitableness for Indian allotment purposes could be investigated, is hereby revoked.

HERBERT HOOVER.

THE WHITE HOUSE, *April 28, 1932.*

[No. 5843]

EXTENSION OF TRUST PERIOD ON LANDS OF THE MORONGO BAND OF MISSION INDIANS, CALIFORNIA

By virture of the authority vested in me by the act of March 2, 1917 (ch. 146, 39 Stat. 969, 976), amending section 3 of the act of January 12, 1891 (ch. 65, 26 Stat. 712), it is hereby ordered that the period of trust on lands held in trust for the use and benefit of the Morongo band of Mission Indians, California, under the terms of the aforesaid act of January 12, 1891, which period of trust expires on December 13, 1933, be, and the same is hereby, extended for a period of 10 years from the date of the expiration thereof.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *October 17, 1933.*

[No. 6341]

EXTENSION OF TRUST PERIOD ON LANDS OF THE PALA BAND OF MISSION INDIANS, CALIFORNIA

By virtue of and pursuant to the authority vested in me by the act of March 2, 1917, ch. 146, 39 Stat. 969, 976, amending section 3 of the act of January 12, 1891, ch. 65, 26 Stat. 712, it is ordered that the period of trust on lands held for the use and benefit of the Pala Band of Mission Indians of California, upon which the period of trust expires during the calendar year 1935, be, and it is hereby, extended for a period of ten years from the date on which any such trust would otherwise expire.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 7, 1935.*

[No. 6940]

EXTENSION OF TRUST PERIOD ON LANDS OF THE TORRES-MARTINEZ BAND OF MISSION INDIANS, CALIFORNIA

By virtue of and pursuant to the authority vested in me by section 3 of the act of January 12, 1891 (ch. 65, 26 Stat. 712), as amended by the act of March 2, 1917 (ch. 146, 39 Stat. 969, 976), it is ordered that the period of trust on lands held in trust for the use and benefit of the Torres-Martinez Band of Mission Indians, California, under the terms of the aforesaid act of January 12, 1891, upon which the period of trust expires during the calendar year 1935, be, and it is hereby, extended for a further period of 10 years from the date on which any such trust would otherwise expire.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *April 10, 1935.*

[No. 7009]

COLORADO

TITLE 25—INDIANS

OFFICE OF INDIAN AFFAIRS

SOUTHERN UTE INDIAN RESERVATION, COLORADO

ORDER OF RESTORATION

SEPTEMBER 14, 1938.

Whereas, pursuant to the provisions of the Act of February 20, 1895 (28 Stat. L., 677), the Southern Ute Band of Indians in Colorado ceded to the United States a large area of their reservation in the State of Colorado established expressly for their benefit under the treaty of June 15, 1880 (21 Stat. L., 199), and

Whereas, There is now remaining undisposed of within the said ceded area approximately 200,000 acres of such ceded land, most of which is urgently required as grazing land for the use of the Southern Ute Band of Indians, and which has been found to be primarily of value for Indian purposes as an addition to the existing Southern Ute Indian Reservation, and

Whereas, by relinquishment and cancellation of homestead entries within this area a limited additional acreage of land of similar character may later be included within this class of undisposed-of ceded land, and

Whereas, the Tribal Council, the Superintendent of the Consolidated Ute Indian Agency, and the Commissioner of Indian Affairs have recommended restoration to

tribal ownership of all such undisposed-of ceded land within the following described boundaries:

Townships 32, 33 and 34 North, Ranges 1½ to 13 West, inclusive, of the N. M. P. M., in Colorado, being that area lying between the north boundary of the old Southern Ute Reservation and the south boundary of the State of Colorado and extending west from the 107th Meridian to the east boundary of the present Southern Ute Reservation.

Now, therefore, by virtue of the authority vested in the Secretary of the Interior by Sections 3 and 7 of the Act of June 18, 1934 (48 Stat. L., 984), I hereby find that restoration to tribal ownership of all land which is now, or may hereafter be, classified as undisposed-of ceded Ute Indian land lying within the above described boundaries in Colorado, will be in the public interest, and the said land is hereby restored to tribal ownership for the use and benefit of the Southern Ute Tribe of Indians of the Southern Ute Indian Reservation in Colorado, and is added to and made a part of the existing Southern Ute Reservation, subject to any valid existing rights.

E. K. BURLEW,
Acting Secretary of the Interior.

IDAHO

EXTENSION OF TRUST PERIOD ON CERTAIN ALLOTMENTS MADE TO INDIANS OF THE NEZ PERCE TRIBE IN IDAHO

It is hereby ordered, under authority contained in section 5 of the act of February 8, 1887 (24 Stat. 388–389), that the trust period on allotments made to Indians on the Nez Perce Reservation in Idaho, which trust period expires during the calendar year 1930, be, and is hereby, extended for a period of ten years, with the exception of the following:

ALLOTMENT NUMBER	NAME OF ALLOTTEE
142	Lily Viles (deceased)
636	Antoine Bronche (deceased)
1645	Albert John (deceased)
1646	Ida John (deceased)

HERBERT HOOVER.

THE WHITE HOUSE, *March 18, 1930.*

[No. 5305]

KANSAS

It is hereby ordered under authority contained in the act of February 8, 1887 (24 Stat. 388–89), that the trust period on the allotments of the Prairie Band of Pottawatomi Indians in Kansas, which trust period expires during the calendar year 1928, be and is hereby extended for a period of ten years, with the exception of the following:

Allot. No.	*Name of allottee*	
163	Mah-ne (deceased).....	Expiration of trust applies only to 69.40 acres partitioned to Oliver Le Clere.
167	Ke-shot-no (deceased)	
171	Kack Kack (deceased).....	Expiration of trust applies only to W/2 NW/4 Sec. 33, T. 8 S., R. 15 E. of 6th P. M. Kansas, partitioned to Etta Cadue.
195	Sophia (deceased)	
205	Pe-o-ze-o-quah (deceased)	
206	Nah-o-ten-nah (deceased)	
253	Frank Wauaunsee (deceased)	

CALVIN COOLIDGE.

THE WHITE HOUSE, *April 16, 1928.*

[No. 4858]

It is hereby ordered, under authority contained in the Act of June 21, 1906 (34 Stats. 325–326), that the trust period on the allotments to the Iowa Indians in Kansas and Nebraska, which trust period expires during the calendar year 1929, be, and is hereby, extended for a period of ten years, with the following exceptions:

Allotment No.	*Name of Allottee*
5	Amabel Deroin (deceased)
15	Louie Whitecloud
33	David K. Deroin (deceased)

CALVIN COOLIDGE.

THE WHITE HOUSE, *January 10, 1929.*

[No. 5023]

EXTENSION OF TRUST PERIOD ON ALLOTMENTS MADE TO MEMBERS OF THE PRAIRIE BAND OF POTAWATOMI INDIANS IN KANSAS

It is hereby ordered, under authority contained in section 5 of the act of February 8, 1887 (24 Stat. 388–389), that the trust period on allotments made to members of the Prairie Band of Potawatomi Indians in Kansas, which trust expires during the calendar year 1930, be, and is hereby extended for a period of ten years from date of expiration, with the exception of the following:

ALLOTMENT NUMBER	NAME OF ALLOTTEE
593	M-nis-no-go quah Wah we as shuck or Earl Cadue (deceased)
595	M-nis-no-quah Chock-tuck or Willie Wish-ken-o
613	O-zosh-quah or John Hale
628	M-ko-quah-wah or Elizabeth Wabaunce
629	Anthony Watch-kee or Battese
633	Francis Shopteese
645	Annie Ke wan kah or Kabance
649	Mary Pot-ko-shuck
650	Ke-wah-quah or James Wabaunce
655	Mary Pe-an-ish
668	Ethel M. Latranche
669	Theodore Latranche
670	John O. Pappan
675	Lucy Blandin
680	Joseph M-joe-tah or Masquat
681	Knox sah Keesis
696	Earl Grinnell
697	Carl Grinnell
698	Ira Grinnell.

HERBERT HOOVER.

THE WHITE HOUSE, *March 10, 1930.*

[No. 5299]

EXTENSION OF TRUST PERIOD ON CERTAIN ALLOTMENTS MADE TO MEMBERS OF THE PRAIRIE BAND OF POTAWATOMI INDIANS IN KANSAS

It is hereby ordered, under authority contained in section 5 of the act of February 8, 1887 (24 Stat. 389), that the trust period on allotments made to members of the Prairie Band of Potawatomi Indians in Kansas, which trust period expires during

the calendar year 1930, be, and is hereby, extended for a period of ten years, with the exception of the following:

ALLOTMENT NUMBER	NAME OF ALLOTTEE
290	Qua she (deceased).
	Expiration of trust applies only to lands partitioned to Oliver Levier.
327	West ke no (deceased).
350	M ko i gi mow (deceased).
364	Wish kuk ke ash kuk (deceased).
398	N wahk tote (deceased).
	Expiration of trust applies only to NW. ¼ NE. ¼ sec. 23, T. 8 S., R. 14 E. of sixth principal meridian, Kansas.
452	M-zhick-ten-o.
460	Skishkee (deceased).
	Expiration of trust applies only to land partitioned to Harry Wamego.
497	Ke yah or Honnell M-jis-sepe.
519	Ke o po wah quah (deceased).
540	Cora Grinnell.
574	Puck kee (deceased).
	Expiration of trust applies only to land partitioned to Mary Peanish.

HERBERT HOOVER.

THE WHITE HOUSE, *May 28, 1930.*

[No. 5356]

EXTENSION OF TRUST PERIOD ON ALLOTMENTS OF KICKAPOO INDIANS OF KANSAS

It is hereby ordered, under authority contained in the act of June 21, 1906 (34 Stat. 325–326), that the trust period on the allotments made to members of the Kickapoo Band of Indians in Kansas, which trust period expires during the calendar year 1930, be, and is hereby, extended for a period of ten years, with the exception of the following:

NUMBER OF ALLOTMENT	NAME OF ALLOTTEE
191	Sah gon ko shuck or Albert Zhuck kah o see

HERBERT HOOVER.

THE WHITE HOUSE, *August 4, 1930.*

[No. 5415]

EXTENSION OF TRUST PERIOD ON ALLOTMENTS OF POTAWATOMI INDIANS OF KANSAS

It is hereby ordered, under authority contained in the act of June 21, 1906 (34 Stat. 325–326), that the trust period on allotments made to members of the Prairie Band of Potawatomi Indians of Kansas, which trust period expires during the calendar year 1931, be, and the same is hereby, extended for a period of 10 years.

HERBERT HOOVER.

THE WHITE HOUSE, *February 11, 1931.*

[No. 5556]

EXTENSION OF TRUST PERIOD ON ALLOTMENTS OF KICKAPOO INDIANS OF KANSAS

It is hereby ordered, under authority contained in section 5 of the act of February 8, 1887 (24 Stat. 388–389), that the trust period on allotments made to the Kickapoo Indians of Kansas, which trust period expires during the calendar year 1931, be, and the same is hereby, further extended for a period of 10 years.

HERBERT HOOVER.

The WHITE HOUSE, *May 18, 1931.*

[No. 5626]

MINNESOTA

The privileges granted temporarily to the Chippewa Indians of the Mississippi, by the Fifth Article of the Treaty made with them on the 29th of July 1837, "of hunting, fishing and gathering the wild rice, upon the lands, the rivers and the lakes included in the territory ceded" by that treaty to the United States; and the right granted to the Chippewa Indians of the Mississippi and Lake Superior, by the Second Article of the treaty with them of October 4th 1842, of hunting on the territory which they ceded by that treaty, "with the other usual privileges of occupancy until required to remove by the President of the United States," are hereby revoked; and all of the said Indians remaining on the lands ceded as aforesaid, are required to remove to their unceded lands.

Z. TAYLOR.

Executive Office
Washington City, February 6th, 1850.

By the PRESIDENT

I. EWING,
Secretary of the Interior.

By virtue of the power vested in me by the provisions of Article 3 of the Treaty of August 21, 1847 (9 Stat. L., 908), it is hereby ordered that the country ceded by the provisions of said treaty shall no longer be held by the United States as Indian land.

WM. H. TAFT.

THE WHITE HOUSE, *February 16, 1911.*

[No. 1299.]

By virtue of the power vested in me by the provisions of Article 7 of the Treaty of October 2, 1863 (13 Stat. L., 667), it is hereby ordered that the provisions of said Article 7 of said treaty shall not hereafter apply to or be of any force or effect throughout the territory ceded to the United States by said treaty, except in that portion lying east of the 6th Guide Meridian; and said Article 7 of said treaty shall continue to be in full force and effect throughout the territory excepted from the operations of this order until otherwise directed by Congress or the President of the United States.

WM. H. TAFT.

THE WHITE HOUSE, *February 16, 1911.*

[No. 1300.]

By virtue of the power vested in me by the provisions of Article 5 of the Treaty of July 23, 1851 (10 Stat. L., 949), it is hereby ordered that the provisions of said article five of said treaty shall not hereafter apply to nor be of any force or effect throughout the territory ceded by said treaty to the United States and lying in the State of Minnesota with the exception of those portions of said territory described as follows:

> Beginning at a point where the line between Townships 129 and 130 North crosses the Boise de Sioux River; thence east along said line to the northeast corner of Township 129 North, Range 45 West; thence south along said range line to the northeast corner of Township 122 North, Range 45 West; thence east to the northeast corner of Township 122 North, Range 44 West; thence south along said range line to the point where it intersects the line established by said Treaty of July 23, 1851; thence in a northwestely direction along the said treaty line to the poin where it touches Lake Traverse; thence north along said lake to the mouth of the Boise de Sioux River; thence up said river to the point of beginning;

and the provisions of said article five of said Treaty shall continue to be in full force and effect in the territory above specified and excepted from the operation of this order until otherwise directed by Congress or the President of the United States.

WM. H. TAFT.

THE WHITE HOUSE, *February 16, 1911.*

By virtue of the power vested in me by the provisions of Article 7 of the Treaty of September 30, 1854 (10 Stat. L., 1109), it is hereby ordered that the provisions of Article 7 of said treaty shall not hereafter apply to nor be of any force or effect throughout the territory ceded by said treaty to the United States except in that portion of said territory described as follows:

> Beginning at a point where the line between Townships 45 and 46 North intersects the line between Ranges 15 and 16 West of the 4th Principal Meridian; thence north along said line to the northeast corner of Township 53 North, Range 16 West; thence west along the line between Townships 53 and 54 North to the point where it intersects the western boundary established by said Treaty of September 30, 1854; thence following the said treaty line in a southwesterly direction to the point where it intersects the line between Townships 45 and 46 North; thence due east along said line to the point of beginning, and all that portion of the State of Minnesota which lies east of the 4th Principal Meridian;

and the provisions of said Article 7 of said treaty shall continue to be in full force and effect within the territory excepted from operation of this order until otherwise ordered by the President.

WM. H. TAFT.

THE WHITE HOUSE, *February 16, 1911.*

[No. 1301.]

EXTENSION OF TRUST PERIOD ON ALLOTMENTS OF RED LAKE INDIANS OF MINNESOTA

It is hereby ordered under authority contained in section 5 of the act of February 8, 1887 (24 Stat. 389–390), that the trust period on the allotments of the following named members of the Red Lake Chippewa Tribe of Indians of Minnesota, on the

ceded part of the Red Lake Reservation, be, and is hereby, extended for a period of 10 years from the date of expiration.

ALLOTMENT NUMBER	NAME OF ALLOTTEE
1	Nay-may-pack
2	Ka-ka Keese or Little Crow
3	Ka-Kee-Ka Kee Sick or Everlasting Sky

HERBERT HOOVER.

THE WHITE HOUSE, *June 26, 1930.*

[No. 5383]

EXTENSION OF TRUST PERIOD ON ALLOTMENTS OF CERTAIN BANDS OF CHIPPEWA INDIANS OF MINNESOTA

It is hereby ordered, under authority contained in section 5 of the act of February 8, 1887 (24 Stat. 389), that the trust period on allotments made to members of the Cass Lake, Leech Lake, White Oak Point, and Winnibigoshish bands of Chippewa Indians of Minnesota, which trust period expires during the calendar year 1930, be, and is hereby, extended for a further period of 10 years, with the exception of the following:

ALLOTMENT NUMBER	NAME OF ALLOTTEE
902	Way me no gwon (deceased)

HERBERT HOOVER.

THE WHITE HOUSE, *October 22, 1930.*

[No. 5466]

EXTENSION OF TRUST PERIOD ON ALLOTMENTS OF FOND DU LAC INDIANS OF MINNESOTA

It is hereby ordered, under authority contained in section 5 of the act of February 8, 1887 (24 Stat. 389), that the trust period on allotments made in favor of members of the Fond du Lac Band of Chippewa Indians of Minnesota, which trust period expires during the calendar year 1931, be, and the same is hereby, extended for a period of 10 years.

HERBERT HOOVER.

THE WHITE HOUSE, *March 12, 1931.*

[No. 5575]

MONTANA

By virtue of the authority vested in me by the provisions of the act of Congress of June 25, 1910 (36 Stat. 847), as amended by the act of Congress of August 24, 1912 (37 Stat. 497), the following lots and blocks in Osborn townsite, within the Huntley Project Irrigation District, on the ceded Crow Indian lands, Montana, are hereby withdrawn and set aside for the use of the Department of Agriculture, as an agricultural field station:

OSBORN, MONTANA

All of Blocks 14 to 28, Inclusive.
All of Blocks 31 to 35, Inclusive.
All of Blocks 42 to 48, Inclusive.
All of Blocks 51 to 54, Inclusive.
Lots 8 to 14, Block 56.

All of Block 57, together with the included streets and avenues as shown on the townsite plat approved August 2, 1907.

This order shall continue in full force and effect unless and until revoked by the President, or by act of Congress.

CALVIN COOLIDGE.

THE WHITE HOUSE, *November 2, 1928.*

[No. 4986]

EXTENSION OF TRUST PERIOD ON CERTAIN ALLOTMENTS MADE TO INDIANS OF THE CROW RESERVATION, MONTANA

It is hereby ordered, under authority contained in section 5 of the act of February 8, 1887 (24 Stat. 388–389), that the trust period on allotments made to Indians of the Crow Reservation in Montana, which period expires during the calendar year 1930, be, and is hereby extended for a period of ten years, with the exception of the following:

ALLOTMENT NUMBER	NAME OF ALLOTTEE
18	Mint (deceased)
51	Gives Away With Buffalo (deceased)
274	Bird (deceased)

HERBERT HOOVER.

THE WHITE HOUSE, *March 12, 1930.*

[No. 5301]

EXTENSION OF TRUST PERIODS ON ALLOTMENTS MADE TO INDIANS OF THE CROW RESERVATION, MONTANA

By virtue of and pursuant to the authority vested in me by section 5 of the act of February 8, 1887 (ch. 119, 24 Stat. 388, 389), it is ordered that the periods of trust on allotments made to Indians of the Crow Reservation, Montana, which, unless extended, will expire during the calendar year 1935, be, and they are hereby, extended for a further period of 10 years from the date on which any such trust would otherwise expire: *Provided, however,* That the extensions of trust periods made herein are made subject to the provisions of the act of June 18, 1934 (ch. 576, 48 Stat. 984), and if a majority of the adult Indians of the said reservation voting at an election to be held under section 18 of said act shall vote in favor of the application of the provisions of the act to the reservation, then this order shall thereafter cease to be of force and effect.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *April 5, 1935.*

[No. 7001]

NEBRASKA

It is hereby ordered under authority contained in Section 5 of the Act of February 8, 1887 (24 Stat. 388), that the trust period on the allotments of the Sac and Fox of the Missouri Indians in Kansas and Nebraska, which trust expires during the calendar year, 1927, be, and is hereby extended, for a period of ten years from the date of expiration thereof, with the exception of the following:

Allotment No.	Name of allottee
19	Que-nah-pe-ah (deceased)
70	Shawnee (deceased)

CALVIN COOLIDGE.

THE WHITE HOUSE, *January 24, 1927.*

[No. 4571]

It is hereby ordered, under authority contained in Section 5 of the Act of February 8, 1887 (24 Stats. 388), that the trust period on the allotments made to the Indians on the Winnebago Reservation in Nebraska, which trust expires during the calendar year 1928, be, and is hereby extended for a period of ten years, with the exception of the following:

Allotment No.	*Name of allottee*
13	Young Rogue (deceased).
159	Mary Rave (deceased).
311	Greenhair (deceased) Expiration of trust applies only to the 80 acres devised to Albert Hensley, Laura Lamere and Pearl Lamere.
313	Jesse White Greenhair (deceased).

CALVIN COOLIDGE.

THE WHITE HOUSE, *October 16, 1928.*

[No. 4979]

It is hereby ordered, under authority contained in Section 5 of the Act of February 8, 1887 (24 Stats. 388), that the trust period on the four allotments listed below, made to Indians of the Winnebago Reservation in Nebraska, which trust expires during the calendar year 1928, be, and is hereby extended for a period of ten years:

Allotment No.	*Name of allottee*
13	Young Rogue (deceased).
159	Mary Rave (deceased).
311	Greenhair (deceased).
313	Jesse White Greenhair (deceased).

This order applies to the four allotments which were specifically excepted from the order of extension dated October 16, 1928.

CALVIN COOLIDGE.

THE WHITE HOUSE, *November 14, 1928.*

[No. 4994]

It is hereby ordered, under authority contained in the act of June 21, 1906 (34 Stats. 325–326), that the trust period on the allotments of the Rosebud Indians in South Dakota, which would otherwise expire during the calendar year 1929, be, and is hereby, extended for a further period of ten years.

CALVIN COOLIDGE.

THE WHITE HOUSE, *January 16, 1929.*

[No. 5028]

It is hereby ordered under authority contained in the act of June 21, 1906 (34 Stat. L. 326), that the trust period on allotments made to the Indians of the Omaha Reservation in Nebraska, which period expires during the calendar year 1929, be, and is hereby extended for a period of ten years.

HERBERT HOOVER.

THE WHITE HOUSE, *July 3, 1929.*

[No. 5148]

232219—41——43

EXTENSION OF TRUST PERIOD ON ALLOTMENTS MADE TO INDIANS OF THE OMAHA RESERVATION IN NEBRASKA

It is hereby ordered, under authority contained in the act of June 21, 1906 (34 Stat. 326), that the trust period on allotments made to Indians of the Omaha Reservation in Nebraska, which period expires during the calendar year 1930, be, and is hereby extended for a period of ten years.

HERBERT HOOVER.

THE WHITE HOUSE, *December 31, 1929.*

[No. 5253]

EXTENSION OF TRUST PERIOD ON HOMESTEADS MADE TO INDIANS OF THE NIOBRARA OR SANTEE RESERVATION, NEBRASKA

It is hereby ordered, under authority contained in the act of June 21, 1906 (34 Stat. 325–326), that the trust period on homesteads made to the following named Indians of the Niobrara or Santee Reservation, Nebr., which trust expires December 28, 1930, be, and is hereby, extended for a period of 10 years.

NAME	NUMBER
Abraham, Eli (deceased)	672
Chapman, Bushman (deceased)	651
Frazier, Starr	662
John, Stephen (deceased)	556
Jones, John	581
Lucas, Samuel (deceased)	289
Phillirick, Clinton (deceased)	55
Ross, Solomon	77
Rouillard, Joseph	741

HERBERT HOOVER.

THE WHITE HOUSE, *October 31, 1930.*

[No. 5474]

NEVADA

EXTENSION OF TRUST PERIOD ON ALLOTMENTS OF THE WALKER RIVER RESERVATION, NEV.

It is hereby ordered, under authority contained in section 5 of the act of February 8, 1887 (24 Stat. 388–389), that the trust period on allotments made to members of the Walker River Indian Reservation, Nev., which trust period expires during the calendar year 1931, be, and the same is hereby, extended for a period of 10 years.

HERBERT HOOVER.

THE WHITE HOUSE, *October 8, 1931.*

[No. 5730]

WITHDRAWAL OF PUBLIC LANDS FOR USE IN CONNECTION WITH WALKER RIVER INDIAN IRRIGATION PROJECT

By virtue of the authority vested in me by the act of June 25, 1910 (ch. 421, 36 Stat. 847), as amended by the act of August 24, 1912 (ch. 369, 37 Stat. 497), and subject to the conditions therein expressed and to all valid existing rights, it is ordered that the following-described public lands in Nevada be, and they are hereby, withdrawn from

settlement, location, sale, entry, and all forms of appropriation, for use in connection with the Walker River Indian irrigation project, Nevada:

MOUNT DIABLO BASE MERIDIAN

T. 13 N., R. 28 E., sec. 7, lots 1 and 2, and E½NW¼.

This order shall continue in full force and effect unless and until revoked by the President or by act of Congress.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *February 26, 1934.*

[No. 6617]

WITHDRAWAL OF PUBLIC LANDS FOR USE IN CONNECTION WITH DUCK VALLEY INDIAN IRRIGATION PROJECT

By virtue of and pursuant to the authority vested in me by the act of June 25, 1910 (ch. 421, 36 Stat. 847), as amended by the act of August 24, 1912 (ch. 369, 37 Stat. 497), and subject to the conditions therein expressed and to valid existing rights, it is ordered that the following-described public lands in Nevada be, and they are hereby, temporarily withdrawn from settlement, location, sale, or entry, for use in connection with the Duck Valley Indian irrigation project, Nevada:

MOUNT DIABLO MERIDIAN

T. 43 N., R. 55 E., sec. 6, lot 2 and SE¼SE¼; sec. 9, SW¼NW¼ and NW¼SW¼.

T. 44 N., R. 55 E., sec. 17, SE¼SW¼; sec. 19, SE¼SE¼; sec. 28, SW¼SE¼; sec. 29, NE¼SW¼; sec. 30, NE¼NE¼, NW¼NE¼, SE¼NE¼, lots 1, 2, 3, and 4; sec. 31, lot 2.

This order shall continue in full force and effect unless and until revoked by the President or by act of Congress.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *September 22, 1934.*

[No. 6853]

NEW MEXICO

It is hereby ordered under authority of the Act of March 27, 1928 (Public No. 194, 70th Congress), that the tract of unsurveyed land lying within the hereinafter described boundaries in Ts. 25, 26, and 27 N., R. 14 E; and Ts. 26 and 27 N., R. 15 E., N. M. P. M., New Mexico, within the Carson National Forest, be withdrawn from all forms of entry or appropriation under the land laws of the United States for the protection of the watershed from which the Indians of the Taos Pueblo obtain water for irrigation and domestic purposes:

Beginning at the northeast corner of the Pueblo de Taos Grant thence northeasterly along the Divide between Rio Pueblo de Taos and Rio Lucero and along the Divide between Rio Pueblo de Taos and Red River to a point a half mile east of Rio Pueblo de Taos; thence southwesterly on a line half mile east of Rio Pueblo de Taos and parallel thereto to the northwest corner of T. 25 N., R. 15 E.; thence south on the west boundary of T. 25 N., R. 15 E., to the Divide between Rio Pueblo de Taos and Rio Fernandez de Taos; thence westerly along the Divide to the East Boundary of the Pueblo de Taos Grant; thence north to the point of beginning; containing approximately 30,000 acres more or less.

CALVIN COOLIDGE.

THE WHITE HOUSE, *July 7, 1928.*

[No. 4929]

TRANSFER OF JURISDICTION OVER CERTAIN LANDS FROM THE SECRETARY OF AGRICULTURE TO THE SECRETARY OF THE INTERIOR

Whereas certain lands, together with the improvements thereon, largely contiguous or in close proximity to existing Indian Reservations, in the State of New Mexico, have been, or are in the process of being, acquired in connection with the projects hereinafter designated, under authority of Title II of the National Industrial Recovery Act of June 16, 1933 (48 Stat. 200), the Emergency Relief Appropriation Act of April 8, 1935 (49 Stat. 115), and section 55 of Title I of the act of August 24, 1935, 49 Stat. 750, 781; and

Whereas it appears that the transfer of jurisdiction over such lands from the Secretary of Agriculture to the Secretary of the Interior for administrative purposes would be in the public interest:

Now, therefore, by virtue of and pursuant to the authority vested in me under the aforesaid National Industrial Recovery Act the Emergency Relief Appropriation Act of 1935, and the act of August 24, 1935, it is hereby ordered that jurisdiction over the hereinafter-described lands, together with the improvements thereon, acquired or in the process of acquisition by the United States in connection with the hereinafter-designated projects, be, and it is hereby, transferred from the Secretary of Agriculture to the Secretary of the Interior: *Provided, however*, That the Secretary of Agriculture shall retain such jurisdiction over the lands now in process of acquisition by the United States as may be necessary to enable him to complete the purchase of such lands; and the Secretary of the Interior is hereby authorized (1) to administer, through the Commissioner of Indian Affairs, such lands for the uses for which they were, or are in the process of being, acquired, and, insofar as consistent with such uses, for the benefit of such Indians as he may designate, (2) in connection with the administration of such lands to exercise all powers and functions, insofar as they may relate to these lands, conferred upon the Secretary of Agriculture by Executive Order No. 7530 of December 31, 1936, and Executive Order No. 7557 of February 19, 1937,[1] and (3) to prescribe such rules and regulations as may be necessary to carry out the purposes of this order:

ZIA-SANTA ANA PROJECT, LI-NM 6

SANDOVAL COUNTY, NEW MEXICO

New Mexico Principal Meridian

T. 14 N., R. 1 E., secs. 1, 3, 11, 13, 15, 23, 25, 27 and 35;

T. 15 N., R. 1 E., sec. 1, lots 1 to 4, inclusive, and that part lying within the San Ysidro Land Grant; sec. 2, lots 1 and 2, and that part lying within the San Ysidro Land Grant; sec. 3, lots 1 to 4, inclusive, and that part lying within the San Ysidro Land Grant; secs. 4 and 5, those parts lying within the San Ysidro Land Grant; sec. 11, all; sec. 12, N½NE¼, SE¼NE¼, and N½NW¼; sec. 13, NW¼, SW¼, and SE¼; secs. 15 and 23, all; sec. 24, NE¼, NW¼, SW¼, and N½SE¼; secs. 25, 27, and 35, all;

T. 16 N., R. 1 E., secs. 31 to 36, inclusive, those parts lying within the San Ysidro Land Grant;

T. 14 N., R. 2 E., sec. 3, lots 9 to 12, inclusive, S½SW¼, and S½SE¼; sec. 5, lots 9 to 12, inclusive, S½SW¼, and S½SE¼; sec. 7, lots 1 to 4, inclusive, NE¼, E½NW¼, E½SW¼, and SE¼; sec. 9, all; sec. 11, W½NE¼, NW¼, SW¼, and W½SE¼; secs. 15, 19 and 21, all; sec. 23, W½NE¼, NW¼, SW¼, and W½SE¼; secs. 27, 29, 31 and 33, all; sec. 35, lots 2 to 4, inclusive, W½NE¼, NW¼, N½SW¼, and NW¼SE¼;

T. 15 N., R. 2 E., secs. 1 and 2, those parts lying within the San Ysidro Land Grant; sec. 3, lots 1 to 4, inclusive, and that part lying within the San Ysidro Land Grant; sec. 4, that part lying within the San Ysidro Land Grant; sec. 5, lots 1 to 4, inclusive, and that part lying within the San Ysidro Land Grant; sec. 6, that part included in Claim No. 4163 F. C.–302, patented May 16, 1934, and that part lying within the San Ysidro Land Grant; sec. 7, lots 1 and 2, SE¼, NW¼, W½SW¼, and that part included in Claim No. 4163 F. C.–302, patented May 16, 1934; sec. 9, lots 1 to 4, inclusive, N½NE¼, and N½NW¼; sec. 11, lots 2 to 4, inclusive, NW¼NE¼, and

[1] 2 F. R. 9, 411 (DI).

N½NW¼; sec. 19, lots 1 to 4, inclusive, and SW¼; sec. 31, lots 1 to 4, inclusive, NW¼, and SW¼;

T. 16 N., R. 2 E., secs. 31 to 36, inclusive, those parts lying within the San Ysidro Land Grant;

T. 15 N., R. 3 E., secs. 1 to 4, inclusive, those parts lying within the Ojo de Borrego Land Grant; secs. 5 and 6, those parts lying within the San Ysidro Land Grant; secs. 9 to 12, inclusive, those parts lying within Ojo de Borrego Land Grant;

T. 16 N., R. 3 E., secs. 13 to 16, inclusive, those parts lying within the Ojo de Borrego Land Grant; sec. 17, SW¼SW¼; sec. 18, SE¼SE¼; sec. 19, NE¼NE¼; sec. 20, NW¼NW¼; secs. 21 to 28, inclusive, those parts lying within the Ojo de Borrego Land Grant; sec. 31, that part lying within the San Ysidro Land Grant; secs. 33 to 36, inclusive, those parts lying within the Ojo de Borrego Land Grant;

T. 15 N., R. 4 E., secs. 5 to 8, inclusive, those parts lying within the Ojo de Borrego Land Grant; sec. 29, NE¼NE¼;

T. 16 N., R. 4 E., secs. 8, 17 to 20, inclusive, and 29 to 32, inclusive, those parts lying within the Ojo de Borrego Land Grant.

Laguna Project, LI–NW 7

SANDOVAL, BERNALILLO, AND VALENCIA COUNTIES, NEW MEXICO

New Mexico Principal Meridian

T. 9 N., R. 1 W., sec. 7, lot 1;

T. 10 N., R. 1 W., secs 5 and 7, all; sec. 9, lots 1 to 4, inclusive, NW¼, and SW¼; secs. 17 and 19, all; sec. 21, lots 1 to 4, inclusive, W½NW¼, and W½SW¼; secs. 29 and 31, all; sec. 33, lots 1 to 5, inclusive, W½NW¼, W½SW¼, and SE¼SW¼;

T 11 N., R. 1 W., secs. 4 to 9, inclusive, 16 to 21, inclusive, and 28 to 30, inclusive, those parts lying within the Bernabe de Montano Land Grant;

T. 12 N., R. 1 W., secs. 4 to 9, inclusive, 16 to 21, inclusive, and 28 to 33, inclusive, those parts lying within the Bernabe de Montano Land Grant;

T. 13 N., R. 1 W., secs. 19 to 21, inclusive, and 28 to 33, inclusive, those parts lying within the Bernabe de Montano Land Grant;

T. 10 N., R. 2 W., secs. 1 and 3, all; sec. 4, lots 2 to 4, inclusive, SW¼NE¼, S½SW¼, and S½SE¼; secs. 5, 7, 9 and 11, all; sec. 12, SW¼; secs. 13 to 15, inclusive, and 17, all; sec. 19, lots 3 and 4, E½SW¼, and SE¼; secs. 21 to 23, inclusive, all; sec. 24, NE¼ and NW¼; secs. 25, 27 and 29, all; sec. 31, E½NW¼ and E½SW¼; sec. 32, N½NE¼, SE¼NE¼, and NE¼SE¼; secs. 33 and 35, all;

T. 11 N., R. 2 W., secs. 1 and 2, those parts lying within the Bernabe de Montano Land Grant; sec. 3, lots 1 to 4, inclusive, and that part lying within the Bernabe de Montano Land Grant; secs. 5, 7 and 9, all; secs. 10 to 14, inclusive, those parts lying within the Bernabe de Montano Land Grant; sec. 15, lots 1 to 4, inclusive, and that part lying within the Bernabe de Montano Land Grant; sec. 17, all; sec. 18, lots 1 and 2, E½NW¼, and SE¼; secs. 19 and 21, all; secs. 22 to 24, inclusive, those parts lying within the Bernabe de Montano Land Grant; sec. 25, lots 1 to 4, inclusive, SW¼, SE¼ and that part lying within the Bernabe de Montano Land Grant; sec. 26, that part lying within the Bernabe de Montano Land Grant; sec. 27, lots 1 to 5, inclusive, SW¼, SE¼, and that part lying within the Bernabe de Montano Land Grant; sec. 29, all; sec. 30, E½NE¼ and E½SE¼; sec. 31, all; sec. 32, NE¼SW¼, N½SE¼, and SE¼SE¼; secs. 33 and 35, all;

T. 12 N., R. 2 W., secs. 1 and 2, those parts lying within the Bernabe de Montano Land Grant; sec. 3, lots 1 to 4, inclusive, and that part lying within the Bernabe de Montano Land Grant; sec. 5, all; sec. 7, lots 1 to 5, inclusive, NE¼, and SE¼; sec. 9, all; secs. 10 to 14, inclusive, those parts lying within the Bernabe de Montano Land Grant; sec. 15, lots 1 to 4, inclusive, and that part lying within the Bernabe de Montano Land Grant; secs. 17, 19 and 21, all; secs. 22 to 26, inclusive, those parts lying within the Bernabe de Montano Land Grant; sec. 27, lots 1 to 4, inclusive, and that part lying within the Bernabe de Montano Land Grant; sec. 29, 31 and 33, all; secs. 34 to 36, inclusive, those parts lying within the Bernabe de Montano Land Grant;

T. 13 N., R. 2 W., sec. 21, lots 1 to 4, inclusive, S½SW¼, and SE¼; secs. 22 to 26, inclusive, those parts lying within the Bernabe de Montano Land Grant; sec. 27, lots

1 to 4, inclusive, and that part lying within the Bernabe de Montano Land Grant; sec. 29, lots 1 and 2, NE¼, S½NW¼, SW¼, and SE¼; sec. 31, lots 1 to 4, inclusive, E½NE¼, and E½SE¼; sec. 33, all; secs. 34 to 36, inclusive, those parts lying within the Bernabe de Montano Land Grant;

T. 9 N., R. 3 W., secs. 1, 3, 5, 7, and 9, all; sec. 11, lots 1 to 5, inclusive; sec. 15, NE¼, N½NW¼, SE¼NW¼, E½SW¼, and SE¼; secs. 17, 19 and 21, all; sec. 23, lots 1 and 2; sec. 27, SW¼ and SE¼; secs. 29, 31 and 33, all; sec. 35, lots 1 and 2;

T. 10 N., R. 3 W., sec. 5, lot 1; sec. 9, lots 1 to 5, inclusive, NE¼, E½NW¼, SE¼SW¼, and SE¼; sec. 15, SW¼NE¼, NW¼, SW¼, and W½SE¼; sec. 17, lots 1 to 5, inclusive, E½NE¼, S½SW¼, and SE¼; secs. 19, 21, 27, 29, 31, and 33, all;

T. 11 N., R. 3 W., sec. 1, lots 1, 2, 5, 6, and 7, SW¼NE¼, SW¼, and W½SE¼; sec. 3, lots 1 to 4, inclusive, S½NE¼, S½NW¼, SW¼, and SE¼, sec. 5, lots 1, 3 and 4, SE¼NE¼, S½NW¼, SW¼, and SE¼; sec. 7, lots 1 to 4, inclusive, NE¼, E½NW¼, E½SW¼, and SE¼; sec. 8, W½NE¼, N½SW¼, SW¼SW¼, and W½SE¼; sec. 9, all; sec. 10, W½NW¼ and NW¼SW¼; sec. 11, NE¼, NW¼, SW¼, NW¼SE¼, and S½SE¼; secs. 13, 15 and 17, all; sec. 18, NE¼; sec. 19, lots 1 to 7, inclusive, N½NE¼, and NE¼NW¼; secs. 21, 23, 25, and 27, all; sec. 29, lots 1 and 2, NE¼, N½NW¼, SE¼NW¼, NE¼SW¼, and S½SW¼; sec. 31, lots 1 and 2 and NE¼NE¼; sec. 33, lots 1 to 4, inclusive, NE¼, NW¼, N½SW¼, and N½SE¼; sec. 35, all;

T. 12 N., R. 3 W., sec. 7, lots 1 to 4, inclusive; sec. 9, lots 1 to 4, inclusive; sec. 11, lots 1 to 4, inclusive; sec. 13, lots 1 to 7, inclusive, W½NE¼, NW¼, N½SW¼, and NW¼SE¼; secs. 15, 17 and 21, all; sec. 25, lots 1 to 4, inclusive; sec. 27, all; sec. 29, NW¼NE¼, N½NW¼, SW¼NW¼, SW¼ and SE¼; sec. 33, all.

ACOMA PROJECT, LI–NM 8

VALENCIA COUNTY, NEW MEXICO

New Mexico Principal Meridian

T. 6 N., R. 6 W., secs. 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, and 35;

T. 7 N., R. 6 W., secs. 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, and 35;

T. 6 N., R. 7 W., secs. 1, 3, 5, 7, 9, 11, 13, 15, 17 to 21, inclusive, 23, 25, 27 to 31, inclusive, 33, and 35;

T. 6 N., R. 8 W., secs. 1, 3, 5, 7, and 9, all; sec. 10, NW¼; secs. 11 to 13, inclusive, all; sec. 14, NE¼ and SE¼; secs. 15 and 17, all; sec. 18, NW¼ and SW¼; sec. 19, all; sec. 20, SE¼; secs. 21 and 23, all; sec. 24, NW¼NE¼, S½NE¼, and NW¼SE¼; secs. 25, 27 and 29, all; sec. 30, SW¼; secs. 31, 33 and 35, all;

T. 6 N., R. 9 W., secs. 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, and 25, all; sec. 26, SW¼ and SE¼; secs. 27, 29, 31, and 33, all; sec. 34, SE¼; sec. 35, all;

T. 7 N., R. 9 W., secs. 1, 3, 5, and 7, all; sec. 8, NE¼SE¼; secs. 9, 11, 13, 15, 17, 19, 21, and 23, all; sec. 24, E½SW¼ and N½SE¼; secs. 25, 27, 29, 31, 33, and 35, all;

T. 8 N., R. 9 W., sec. 3, all; sec. 4, lots 1 and 2, S½NE¼, N½SW¼, SW¼SW¼, and N½SE¼; sec. 5, all; sec. 6, lots 5 and 6, SE¼NW¼, and NE¼SW¼;

T. 8 N., R. 9 W., secs. 7 to 9, inclusive, all; sec. 11, lots 1 to 4, inclusive, W½NE¼, NW¼, SW¼, and W½SE¼; secs. 15 and 17, all; sec. 18, NE¼ and SE¼; secs. 19 and 21, all; sec. 23, lots 1 to 4, inclusive, W½NE¼, NW¼, SW¼, and W½SE¼; sec. 25, lots 1 to 4, inclusive, SW¼, and SE¼; secs. 27, 29, 31, 33, and 35, all;

T. 6 N., R. 10 W., secs. 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, and 35;

T. 7 N., R. 10 W., secs. 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, and 35;

T. 8 N., R. 10 W., secs. 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, and 23, all; sec. 24, N½NE¼, SE¼NE¼, and E½SE¼; secs. 25, 27, 29, 31, 33, and 35, all;

T. 6 N., R. 11 W., secs. 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 26, 27, 29, 31, 33, and 35.

JEMEZ PROJECT, LI–NM 9

SANDOVAL COUNTY, NEW MEXICO

New Mexico Principal Meridian

Tps. 15, 16, 17 and 18 N., Rs. 1 E. and 1 W., those parts lying within the Ojo del Espiritu Santo Land Grant, as described in U. S. Survey No. 44;

Tps. 15, 16, and 17 N., R. 2 W., those parts lying within the Ojo del Espiritu Santo Land Grant as described in U. S. Survey No. 44.

ISLETA PROJECT, LI–NM 11

BERNALILLO AND VALENCIA COUNTIES, NEW MEXICO

New Mexico Principal Meridian

T. 7 N., R. 1 W., secs. 5 and 7, all; sec. 9, lots 1 to 4, inclusive, W½NW¼, NW¼SW¼, and S½SW¼; sec. 15, lot 1; sec. 17, lots 1 to 4, inclusive;

T. 8 N., R. 1 W., sec. 1, lots 1 to 8, inclusive, S½NE¼, and S½NW¼; sec. 3, lots 1 to 8, inclusive, S½NE¼, and S½NW¼; sec. 5, lots 1 to 6, inclusive; sec. 7, lot 1; sec. 31, lots 1 to 4, inclusive; sec. 33, lots 1 to 3, inclusive;

T. 7 N., R. 2 W., sec. 1, all; sec. 11, lot 1; sec. 13, lots 1 and 2, and NE¼NE¼;

T. 8 N., R. 1 E., sec. 1, lots 1 to 4, inclusive, NE¼, and NW¼; sec. 3, lots 1 to 8, inclusive, S½NE¼, and S½NW¼; sec. 4, lots 1 to 4, inclusive, S½NE¼, and S½NW¼; sec. 5, lots 1 to 8, inclusive, S½NE¼, and S½NW¼; sec. 6, lots 1 and 2, NE¼, and E½NW¼;

T. 8 N., R. 2 E., sec. 5, lots 1 to 4, inclusive, NE¼, and NW¼;

T. 7 N., R. 3 E., that part lying within the tract described in U. S. Land Office Record No. 067415, Santa Fe Series, and known as the "Peralta tract of the Southern Part of the Lo de Padilla Grant";

T. 7 N., R. 4 E., sec. 6, SE¼ and that part lying within the tract described in U. S. Land Office Record No. 067415, Santa Fe Series, and known as the "Peralta tract of the Southern Part of Lo de Padilla Grant."

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 18, 1938.*

[No. 7792]

TRANSFER OF JURISDICTION OVER CERTAIN LANDS FROM THE SECRETARY OF AGRICULTURE TO THE SECRETARY OF THE INTERIOR

Whereas certain lands, together with the improvements thereon, largely contiguous or in close proximity to existing Indian reservations, in the State of New Mexico, have been, or are in process of being, acquired in connection with the projects hereinafter designated, under authority of Title II of the National Industrial Recovery Act, approved June 16, 1933 (48 Stat. 200), the Emergency Relief Appropriation Act, approved April 8, 1935 (49 Stat. 115), and section 55 of Title I of the act of August 24, 1935, 49 Stat. 750, 781; and

Whereas by Executive Order No. 7908, dated June 9, 1938,[1] all the right, title, and interest of the United States in such lands, acquired, or in process of acquisition, were transferred to the Secretary of Agriculture for use, administration, and disposition in accordance with the provisions of Title III of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (50 Stat. 522, 525), and the related provisions of Title IV thereof; and immediately upon acquisition of legal title to those lands now in process of acquisition, said order, under the terms thereof, will become applicable to all the additional right, title, and interest thereby acquired by the United States; and

Whereas it appears that the transfer of jurisdiction over such lands from the Secretary of Agriculture to the Secretary of the Interior for administrative purposes would be in the public interest:

[1] 3 F. R. 1389 DI.

Now, therefore, by virtue of and pursuant to the authority vested in me by section 32 (c), Title III, of the said Bankhead-Jones Farm Tenant Act, and upon recommendation of the Secretary of Agriculture, it is hereby ordered that jurisdiction over the hereinafter-described lands, together with the improvements thereon, acquired, or in the process of acquisition, by the United States in connection with the hereinafter-designated projects, be, and it is hereby, transferred from the Secretary of Agriculture to the Secretary of the Interior: *Provided, however,* that the Secretary of Agriculture shall retain such jurisdiction over the lands now in process of acquisition by the United States as may be necessary to enable him to complete their acquisition; and the Secretary of the Interior is hereby authorized to administer such lands, through the Commissioner of Indian Affairs, for the benefit of such Indians as he may designate, under such conditions of use and administration as will best carry out the purposes of the land-conservation and land-utilization program for which such lands were acquired:

ZUNI PROJECT, LI–NM 13

MCKINLEY AND VALENCIA COUNTIES, NEW MEXICO

New Mexico Principal Meridian

T. 8 N., R. 16 W., sec. 4, SW¼; secs. 7, 9, 17, 19, and 21, all; sec. 28, NE¼, SW¼, and SE¼; secs. 29, 31, and 33, all;
T. 9 N., R. 16 W., secs. 31 and 34;
T. 8 N., R. 17 W., secs. 1, 11, 23, 25, 27, 29, 31, 33, and 35;
T. 9 N., R. 17 W., secs. 25 and 35;
T. 8 N., R. 18 W., secs. 19, 21, 23, 25, 27, 29, 31, 33, and 35;
T. 8 N., R. 19 W., secs. 19, 25, 27, 29, 31, 33, and 35;
T. 10 N., R. 19 W., sec. 1, lots 1 to 6, inclusive; sec. 3, lot 1, NE¼, NW¼, SW¼, N½SE¼, and SW¼SE¼; secs. 5 and 7, all; sec. 9, lots 1 to 5, inclusive, N½NE¼, SW¼ NE¼, NW¼, and NW¼SW¼; sec. 17, lots 1 to 3, inclusive, and NW¼NW¼;
T. 11 N., R. 19 W., secs. 1, 9, 11, and 13, all; sec. 14, NE¼, NE¼NW¼, S½NW¼, and SW¼; secs. 15, 17, and 19, all; sec. 20, NE¼, SE¼NW¼, NE¼SW¼, S½SW¼, and SE¼; secs. 21 to 23, inclusive, 25, and 27, all; sec. 28, NW¼, SW¼, and SE¼, and NE¼; secs. 29 to 31, inclusive, 33, and 35, all;
T. 8 N., R. 20 W., sec. 13, lots 4 to 6, inclusive, and SE¼SE¼; sec. 23, lots 5 to 8, inclusive, SE¼NE¼, NE¼SW¼, S½SW¼, and SE¼; sec. 25, all; sec. 27, lot 2, NE¼, NE¼NW¼, S½ NW¼, SW¼, and SE¼; sec. 29, lots 6 to 8, inclusive, and SE¼SE¼; sec. 31, lots 8 to 15, inclusive, SE¼NE¼, NE¼SW¼, and N½SE¼; secs. 33 and 35, all;
T. 10 N., R. 20 W., sec. 1, all; sec. 3, NE¼, NW¼, NE¼SW¼, N½SE¼, and SE¼ SE¼; sec. 4, NW¼ and SW¼; secs. 5 to 9, inclusive, all; sec. 10, W½NW¼ and W½SW¼; sec. 11, all; sec. 13, lots 1 and 2, NE¼, NW¼, SW¼, and N½SE¼; sec. 14, NW¼ and SW¼; secs. 15 and 17 to 21, inclusive, all; sec. 22, lots 1 and 2, NE¼, NW¼, SW¼, and N½SE¼; sec. 23, lots 1 to 6, inclusive, N½NE¼, and NW¼; sec. 27, lots 1 to 4, inclusive; sec. 28, lots 1 to 4, inclusive, N½NE¼, and NW¼; sec. 29, lots 1 and 2, NE¼, NW¼, SW¼, and N½SE¼; sec. 30, all; sec. 31, lots 1 to 8, inclusive, NW¼NE¼, and NE¼NW¼;
T. 11 N., R. 20 W., secs. 25 and 35, all; T. 9 N., R. 21 W., sec. 1, lots 1 and 2; sec. 3, lots 1 to 6, inclusive, NE¼, and NW¼SE¼;
T. 10 N., R. 21 W., sec. 1, all; sec. 3, lots 1 to 6, inclusive, S½NE¼, and SE¼; sec. 10, lots 1 to 4, inclusive, NE¼, and SE¼; secs. 11 to 14, inclusive, all; sec. 15, lots 1 to 4, inclusive, NE¼, and SE¼; sec. 22, lots 1 to 4, inclusive, NE¼, and SE¼; secs. 23 to 26, inclusive, all; sec. 27, lots 1 to 4, inclusive, NE¼, and SE¼; sec. 34, lots 1 to 4, inclusive, NE¼, and SE¼; sec. 35, all.

GALLUP-TWO WELLS PROJECT, LI–NM 18

MCKINLEY COUNTY, NEW MEXICO

New Mexico Principal Meridian

T. 13 N., R. 17 W., sec. 7, lots 1 to 4, inclusive, NE¼, E½NW¼, and E½SW¼; sec. 16, NE¼ and SE¼; sec. 18, lots 3 and 4, and E½SW¼; sec. 20, SW¼; sec. 21, NE¼ and SE¼; sec. 22, S½SW¼NE¼, S½SW¼NW¼, SW¼, N½SE¼, NW¼SE¼SE¼, N½

SW¼SE¼, and SW¼SW¼SE¼; sec. 23, SE¼; sec. 25, all; sec. 27, S½ NE¼, S½NW¼, and SE¼; sec. 28, NE¼, E½NW¼, and N½SE¼; sec. 30, lots 1 and 2, SE¼NE¼, SE¼SW¼, and SE¼; sec. 32, NE¼SW¼, NW¼SE¼, and S½SE¼; sec. 33, NE¼, E½NW¼, E½ SW¼, and SE¼; sec. 35, all;

T. 12 N., R. 18 W., sec. 2, all; sec. 3, lots 3 and 4, S½NW¼, and SW¼; sec. 4, lots 1 to 4, inclusive, S½NE¼, and S½NW¼; sec. 5, all; sec. 6, lots 1 and 2, and S½ NE¼; sec. 7, all; sec. 8, NE¼, NW¼, S½SW¼, and W½SE¼; sec. 9, all; sec. 10, NE¼, NW¼, and SW¼; sec. 18, lot 4 and SE¼SW¼; sec. 19, lots 1 and 2, NE¼, and E½ NW¼; sec. 20, W½NE¼; sec. 28, SE¼; secs. 30 to 33, inclusive, all;

T. 13 N., R. 18 W., secs. 1, 3, and 5, all; sec. 6, lots 1 and 2, S½NE¼, and SE¼; secs. 7 and 9 to 11, inclusive, all; sec. 12, SW¼; secs. 13, 15, 17, and 18, all; sec. 19, lots 3 and 4, and E½SW¼; secs. 20 to 25, inclusive, all; sec. 26, N½NW¼, SW¼NW¼, and NW¼SW¼; sec. 27, all; sec. 28, NE¼ and SE¼; sec. 29, 31, and 33, all; sec. 34, SW¼ and SE¼; sec. 35, NW¼, SW¼, and SE¼;

T. 14 N., R. 18 W., sec. 8, NE¼ and NW¼;

T. 12 N., R. 19 W., sec. 1, lots 1 to 4, inclusive, S½NE¼, and S½NW¼; secs. 3 and 4, all; sec. 5, lots 1 and 2, S½NE¼, SW¼, and SE¼; sec. 7, lots 1, 3, and 4, NE¼NE¼, S½NE¼, E½SW¼, and SE¼; secs. 9 and 11, all; sec. 13, NE¼, NW¼, N½SW¼, and E½SE¼; sec. 16, E½NE¼, SW¼, and SE¼; sec. 17, NW¼, SW¼, and SE¼; sec. 19, all; sec. 21, NW¼ and SW¼; secs. 22, 23, 25, and 27, all; sec. 28, NE¼ and SE¼; secs. 29, 31, and 33, all; sec. 35, N½NE¼, SW¼NE¼, NW¼, NW¼SW¼, S½SW¼, and S½SE¼; sec. 36, all;

T. 13 N., R. 19 W., sec. 1, lots 1 and 2, S½NE¼, SW¼, and SE¼; secs. 3, 5, and 7, all; sec. 9, W½NE¼, NW¼, SW¼, and W½SE¼; secs. 11, 13, and 15, all; sec. 19, lots 1 and 2, NE¼, and E½NW¼; secs. 21 and 23, all; sec. 24, NE¼ and SE¼; secs. 25 and 26, all; sec. 27, NW¼ and SW¼; secs. 28 and 29, all; sec. 30, lots 3 and 4, E½SW¼, and SE¼; sec. 31, lots 1 to 4, inclusive, N½NE¼, SW¼NE¼, E½NW¼, E½SW¼, and NW¼SE¼; sec. 32, NE¼, NW¼, NE¼SW¼, and SE¼; sec. 33, NE¼, NW¼, and SW¼; sec. 34, all; sec. 35, NE¼, NW¼, and SE¼; sec. 36, all;

T. 14 N., R. 19 W., sec. 14, NW¼; sec. 26, NE¼;

T. 12 N., R. 20 W., secs. 1 and 3, all; sec. 4, SW¼ and SE¼; sec. 5, all; sec. 6, lots 6 and 7, E½SW¼, and SE¼; secs. 9 to 11, inclusive, all; sec. 7, all; sec. 13, N½NE¼, SW¼NE¼, NW¼, and SE¼SE¼; sec. 15, N½NE¼, NW¼, SW¼, and S½SE¼; secs. 17, 19, and 21, all; sec. 23, NW¼NE¼, N½NW¼, SW¼NW¼, SW¼, and SE¼; sec. 25, SW¼ and SE¼; secs. 27 and 35, all;

T. 13 N., R. 20 W., sec. 31, NE¼ and SE¼; sec. 33, all; sec. 34, NE¼, NW¼, and SE¼; sec. 35, all;

T. 12 N., R. 21 W., sec. 12.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *September 16, 1938.*

[No. 7975]

NORTH DAKOTA

EXTENSION OF TRUST PERIOD ON CERTAIN ALLOTMENTS MADE TO INDIANS OF THE DEVILS LAKE RESERVATION, NORTH DAKOTA

It is hereby ordered, under authority contained in section 5 of the act of February 8, 1887 (24 Stat. 388–389), that the trust period on allotments on the Devils Lake Reservation, North Dakota, which trust expires during the calendar year 1930, be, and is hereby extended for a period of ten years from date of expiration, with the exception of the following:

ALLOTMENT NUMBER	NAME OF ALLOTTEE
1188	Makana (deceased)

HERBERT HOOVER.

THE WHITE HOUSE, *March 12, 1930.*

[No. 5303]

OKLAHOMA

It is hereby ordered, under authority contained in Section 5 of the Act of February 8, 1887 (24 Stat. 388), that the trust period on the following allotments made to Indians on the Oakland Reservation in Oklahoma, which trust expires June 5, 1928, be and is hereby extended for a period of ten years from said date:

Name	No. of Allotment	Name	No. of Allotment
Johnson, Sargent (deceased)	5	Mason, Millie Kaise (dec.)	48
Johnson, Lotta (deceased)	6	Allen, Kittie (deceased)	53
Collins, Lee (deceased)	20	Apache, William (deceased)	54
Collins, Anna (now Anna C. Jefferson)	22	Purce, Millie (deceased)	56
		Miles, George	58
Richards, Grant (deceased)	24	Miles, Effie (now Effie Contillo)	60
Richards, Winnie (deceased)	25		
Buffalo, Standing (deceased)	29	Rush, Cochana	62
Bill, Buck (deceased)	36	Keeta, Mollie (deceased)	63
Co-Yaw (deceased)	40	Allen, Martha T. (deceased)	67
Stevens, William Sr. (dec.)	41	Stevens, Gertrude (now Gertrude S. Martin)	72
Stevens, Jennie (deceased)	42		
Dupee, Ellen Toco (deceased)	45		

CALVIN COOLIDGE.

THE WHITE HOUSE, *February 25, 1928.*

[No. 4816]

It is hereby ordered under authority contained in Section 5 of the Act of February 8, 1887 (24 Stat. 388), that the trust period on the allotments of Pawnee Indians of Oklahoma, which would otherwise expire during the calendar year 1928, is hereby extended for ten years, with the following exceptions:

Allotment No.	Name of allottee
148	Katie Walker
200	Susie Jake (deceased)
304	Frank Moore "
306	Violet Bayhylle
360	Skedee Good Chief (deceased)
370	Jennie Lone Chief "
373	Scoorah Howell "

(Expiration of trust applies only to W/2 NW/4 and W/2 W/2 E/2 NW/4 Sec. 29, T. 22 N., R. 5 E. of I. M. Oklahoma, partitioned in common to four heirs).

CALVIN COOLIDGE.

THE WHITE HOUSE, *May 29, 1928.*

[No. 4898]

EXTENSION OF TRUST PERIOD ON CERTAIN ALLOTMENTS MADE TO INDIANS OF THE SENECA TRIBE IN OKLAHOMA

It is hereby ordered, under authority contained in section 5 of the act of February 8, 1887 (24 Stat. 388–389), that the trust period on allotments made to members of the Seneca Tribe in Oklahoma, upon which the trust period will expire during the calendar year 1930, be, and is hereby, extended for a period of ten years from the date of expiration, with the exception of the following:

Allotment Number	Name of Allottee	Allotment Number	Name of Allottee
1	James O'Hardy	64	Chester A. Hubbard
2	Valentine Hardy	69	Sherman Spicer
4	Lillian Choteau	70	Lavina Darity
5	Esther Spicer	71	Harry Whitetree
6	Hattie Spicer	72	Opal Whitetree
10	Sophrina Mingo	73	Claude Finley
13	Mary E. Winney	74	Beatrice Finley
17	Noah J. Spicer	76	Howard Brown
23	Sidney Choteau	77	Rosanna J. Brown
27	Edna Layne	82	David Cherloe
29	Lena Bearskin	84	Downing Young
30	Maggie C. Bearskin	86	Solorena Young
31	Leslie Bearskin	88	Jennie Crow
32	John W. Bearskin	89	Angeline Crow (deceased)
33	Eva Fisher	90	Gertrude Washington
34	Lena Fisher	91	Ora B. Spicer
35	Alfred Fisher	93	Reo A. Spicer
36	Minerva Fisher	94	Mildred Bearskin
37	Bertha Captain	96	Gladys Bearskin
38	Ray Whitetree	97	Lillian Johnson
39	Alva Whitetree	100	Ida Schrimpsher
40	Jessie Whitetree	106	Flora Dick
43	Ruth Kariho	109	Curtle Evans
47	Carrie B. Splitlog	114	Jackson Johnson
54	Dorcas Johnson Girgam	116	Ernest Whitetree
55	Robert A. Johnson	117	Rena Whitetree
60	Jasper L. Spicer	120	Walter Whitecrow
61	Georgia Spicer		

HERBERT HOOVER.

THE WHITE HOUSE, *March 18, 1930.*

[No. 5306]

EXTENSION OF TRUST PERIOD ON ALLOTMENTS OF PONCA INDIANS OF OKLAHOMA

It is hereby ordered, under authority contained in section 5 of the act of February 8, 1887 (24 Stat. 389), that the trust period on the allotments made to Indians of the Ponca Reservation in Oklahoma, which trust period expires during the calendar year 1931, be, and is hereby, extended for a period of 10 years.

HERBERT HOOVER.

THE WHITE HOUSE, *January 23, 1931.*

[No. 5539]

EXTENSION OF TRUST PERIOD ON ALLOTMENTS OF OTOE AND MISSOURIA INDIANS, OKLAHOMA

It is hereby ordered, under authority contained in section 5 of the act of February 8, 1887 (24 Stat. 388–389), that the trust period on allotments made to members of the Otoe and Missouria tribes of Indians in Oklahoma, whose trust period expires during the calendar year 1931, be, and the same is hereby, extended for a period of 10 years.

HERBERT HOOVER.

THE WHITE HOUSE, *September 29, 1931*

[No. 5728]

EXTENSION OF TRUST PERIOD ON WICHITA ALLOTMENT NO. 582–A

It is hereby ordered, under authority contained in section 5 of the act of February 8, 1887 (24 Stat. 388, 389), that the trust period on the allotment of Gertrude Lamb, deceased Wichita allottee No. 582–A, Oklahoma, which trust period expires during the calendar year 1932, be, and the same is hereby, extended for a period of 10 years from date of expiration.

HERBERT HOOVER.

THE WHITE HOUSE, *November 20, 1932.*

[No. 5955]

EXTENSION OF TRUST PERIOD ON INDIAN LANDS IN OKLAHOMA EXPIRING DURING THE YEAR 1935

By virtue of and pursuant to the authority vested in me by section 5 of the act of February 8, 1887 (ch. 119, 24 Stat. 388, 389), and by the act of June 21, 1906 (ch. 3504, 34 Stat. 325, 326), it is ordered that the period of trust applying to any Indian allotted lands of the Otoe Reservation, Oklahoma, or of any other Indian reservation in the State of Oklahoma not specifically named herein, upon which the period of trust expires during the calendar year 1935, be, and it is hereby, extended for a period of ten years from the date on which any such trust would otherwise expire.

This order is not intended to apply to cases in which Congress has specifically reserved to itself authority to extend the period of trust on tribal or individual Indian lands.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *December 20, 1934.*

[No. 6926]

EXTENSION OF TRUST PERIODS ON INDIAN LANDS IN OKLAHOMA

By virtue of and pursuant to the authority vested in me by section 5 of the act of February 8, 1887 (24 Stat. 388, 389), and the act of June 21, 1906 (34 Stat. 325, 326), it is ordered that all periods of trust on Indian allotted or tribal lands in the State of Oklahoma upon which the periods of trust expire during the calendar year 1936, be, and they are hereby, extended for a period of 10 years from the dates on which such trusts would otherwise expire.

This order is not intended to apply to cases in which Congress has specifically reserved to itself authority to extend the period of trust on tribal or individual Indian lands.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *October 14, 1935.*

[No. 7206]

OREGON

It is hereby ordered under authority contained in Section Five of the Act of February 8, 1887 (24 Stat. L. 388–389), that the trust period on the allotments made to the Indians on the Siletz Reservation in Oregon, which trust period expires during the calendar year 1929, be, and is hereby extended for a period of ten years, with the exception of the following:

Allotment Number	*Name of Allottee*
1	Melissa Latta Montgomery (deceased)
2	Alsea Mack "
8	Jennie Megginson "
21	Mary Baker "
34	Sissy Bensell Fuller "
98	Judith Cook "
209	Harriett Hollis "
213	George Harris "
227	Nellie Johnson "
275	Mary Klamath "
462	Mary Tom "

HERBERT HOOVER.

THE WHITE HOUSE, *April 1, 1929.*

[No. 5087]

EXTENSION OF TRUST PERIOD ON ALLOTMENTS TO INDIANS ON THE UMATILLA RESERVATION, OREGON

It is hereby ordered, under authority contained in the act of June 21, 1906 (34 Stat. 325–326), that the trust period on allotments made to members of the confederated bands of Cayuse, Umatilla, and Walla Walla Indians on the Umatilla Reservation, Oreg., which trust period expires during the calendar year 1931, be, and is hereby, extended for a period of 10 years.

HERBERT HOOVER.

THE WHITE HOUSE, *December 17, 1930.*

[No. 5516]

EXTENSION OF TRUST PERIOD ON ALLOTMENTS OF THE WARM SPRINGS RESERVATION, OREG.

It is hereby ordered, under authority contained in section 5 of the act of February 8, 1887 (24 Stat. 388–389), that the trust period on allotments made in favor of Indians of the Warm Springs Reservation, Oreg., which trust period expires during the calendar year 1931, be, and the same is hereby, extended for a period of 10 years.

HERBERT HOOVER.

The WHITE HOUSE, *October 17, 1931.*

[No. 5734]

AUTHORIZATION TO APPOINT MR. WADE CRAWFORD

By virtue of the authority vested in me by the provisions of the last sentence of the eighth paragraph of subdivision second of section 2 of the Civil Service Act of January 16, 1883 (ch. 27, 22 Stat. 403, 404), it is hereby ordered that Mr. Wade Crawford may be appointed to the position of superintendent of the Klamath Indian Agency, Klamath Agency, Oregon, without compliance with the requirements of the Civil Service rules.

This order is recommended by the Secretary of the Interior.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *October 25, 1933.*

[No. 6360]

EXTENSION OF TRUST PERIODS ON ALLOTMENTS MADE TO INDIANS OF THE KLAMATH RESERVATION, OREGON

By virtue of and pursuant to the authority vested in me by section 5 of the act of February 8, 1887 (ch. 119, 24 Stat. 388, 389), and the act of June 21, 1906 (ch. 3504, 34 Stat. 325, 326), it is ordered that the periods of trust on allotments made to Indians of the Klamath Reservation, Oregon, which, unless extended, would expire during the calendar year 1935, be, and they are hereby, extended for a further period of 10 years from the date on which any such trust would otherwise expire; *Provided, however,* That extensions of the trust periods herein provided for are made subject to the provisions of the act of June 18, 1934 (ch. 576, 48 Stat. 984), and if a majority of the adult Indians of said reservation voting at the election to be held under section 18 of said act shall vote in favor of the application of the provisions of the act to the reservation, then this order shall thereafter cease to be of force and effect.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *February 4, 1935.*

[No. 6961]

SOUTH DAKOTA

It is hereby ordered, under authority contained in the Act of June 21, 1906 (34 Stats. 325–326), that the trust period on allotments made to Indians of the Lower Brule Reservation in South Dakota, which trust expires during the calendar year 1928, be, and is hereby extended for a period of 10 years from date of expiration, with the exception of the following:

Allotment No. 335, Big Eagle, deceased.

CALVIN COOLIDGE.

THE WHITE HOUSE, *October 20, 1928.*

[No. 4981]

It is hereby ordered, under authority contained in the act of June 21, 1906 (34 Stats. 325–326), that the trust period on the allotments of the Rosebud Indians in South Dakota, which would otherwise expire during the calendar year 1929, be, and is hereby, extended for a further period of ten years.

CALVIN COOLIDGE.

THE WHITE HOUSE, *January 16, 1929.*

[No. 5028]

It is hereby ordered, under authority contained in Section 5 of the Act of February 8, 1887 (24 Stats. 388), that the trust period on the allotments of Indians on the Yankton Sioux Reservation, South Dakota, which expires during the calendar year 1929, be, and is hereby extended for a further period of ten years.

HERBERT HOOVER.

THE WHITE HOUSE, *August 9, 1929.*

[No. 5173]

EXTENSION OF TRUST PERIOD ON CERTAIN ALLOTMENTS MADE TO INDIANS OF THE ROSEBUD RESERVATION, SOUTH DAKOTA

It is hereby ordered, under authority contained in the act of June 21, 1906 (34 Stat. 325–326), that the trust period on the allotments of the Rosebud Indians in South Dakota, which would otherwise expire during the calendar year 1930, be, and is hereby extended for a further period of ten years, with the exception of the following:

NUMBER OF ALLOTMENT	NAME OF ALLOTTEE
3161	Lily Scissons (deceased)
3284	Emily Trudell (deceased)
3304	Minnie Farrell, now Brown
3469	Moses Marshall
3501	Joseph Colomb
3530	Vernon Didier
3533	Pearl Ramis, now Bingham
3543	Nellie Ross, now Larsh
3551	Frank Ferrin (deceased)
3741	Kills Him Short or Nicholas Bull (deceased)

HERBERT HOOVER.

THE WHITE HOUSE, *March 12, 1930.*

[No. 5302]

EXTENSION OF TRUST PERIOD ON ALLOTMENTS OF INDIANS ON THE CHEYENNE RIVER RESERVATION, SOUTH DAKOTA

It is hereby ordered, under authority contained in the act of June 21, 1906 (34 Stat. 325–326), that the trust period on allotments made to Indians of the Cheyenne River Reservation, S. Dak., which trust period expires during the calendar year 1931, be, and the same is hereby, extended for a period of 10 years.

HERBERT HOOVER.

THE WHITE HOUSE, *January 31, 1931.*

[No. 5546]

EXTENSION OF TRUST PERIOD ON ALLOTMENTS OF INDIANS ON THE PINE RIDGE RESERVATION, SOUTH DAKOTA

It is hereby ordered, under authority contained in the act of June 21, 1906 (34 Stat. 325–326), that the trust period on allotments made to Indians on the Pine Ridge Reservation, S. Dak., which trust period expires during the calendar year 1931, be, and the same is hereby, extended for a period of 10 years.

HERBERT HOOVER.

THE WHITE HOUSE, *February 13, 1931.*

[No. 5557]

EXTENSION OF TRUST PERIOD ON ALLOTMENTS MADE TO INDIANS OF THE CROW CREEK BAND OF SIOUX

By virtue of and pursuant to the authority vested in me by the act of June 21, 1906 (ch. 3504, 34 Stat. 325, 326), it is ordered that the period of trust on allotments made to Indians of the Crow Creek band of Sioux, under the jurisdiction of the Crow Creek Agency, South Dakota, regardless of whether the lands are on the Crow Creek Reservation or on the opened portion of the Great Sioux Reservation, upon which the period of trust expires during the calendar year 1935, be, and the same is hereby, extended for a period of 10 years from the date on which any such trust would otherwise expire.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *February 9, 1935.*

[No. 6968]

UTAH

It is hereby ordered that the west boundary of the reservation for Indian purposes, created by executive order dated May 17, 1884, as modified by the executive order dated November 19, 1892, viz.: the one hundred and tenth meridian of west longitude, be defined for all jurisdictional purposes connected with the administration of the public lands affected thereby, as follows:

Commencing at the closing corner of sections thirty-five and thirty-six, township forty-three south, range seventeen east, Salt Lake Base and Meridian, on the Utah-Arizona boundary line, thence northerly along the section lines of townships forty-three, forty-two and forty-one south in said range seventeen east to an intersection with the middle of the channel of the San Juan River.

CALVIN COOLEDGE.

THE WHITE HOUSE, *April 13, 1927.*

[No. 4628]

EXTENSION OF TRUST PERIOD ON ALLOTMENTS OF THE UNCOMPAHGRE, UNITAH, AND WHITE RIVER BANDS OF UTE INDIANS OF UTAH

It is hereby ordered, under authority contained in the act of June 21, 1906 (34 Stat. 325–326), that the trust period on the allotments made to members of the Uncompahgre, Uintah, and White River Bands of Ute Indians of Utah, which trust period expires during the calendar year 1930, be, and is hereby, extended for a period of ten years from the date of expiration.

HERBERT HOOVER.

THE WHITE HOUSE, *May, 29, 1930.*

[No. 5357]

REVOCATION OF WITHDRAWAL OF PUBLIC LANDS CONTAINING OIL SHALE, UTAH

It is hereby ordered that lot 5 of sec. 24, T. 11 S., R. 19 E., and lot 6 of sec. 33, T. 8 S., R. 20 E., containing 160 acres, and tract 20 in sec. 24, T. 9 S., R. 25 E., containing 68.93 acres, Salt Lake meridian, Utah, be eliminated from the operation of Executive Order No. 5327 of April 15, 1930, withdrawing lands owned by the United States containing deposits of oil shale, so that trust patients can be issued to Machook-a-rats (Chester) and Jimmie Colorow, Uncompahgre Ute Indians, for the lands allotted to them.

HERBERT HOOVER.

THE WHITE HOUSE, *February 9, 1931.*

[No. 5552]

WASHINGTON

DEPARTMENT OF THE INTERIOR,
Washington, D. C., Apri. 6, 1927.

The PRESIDENT,
The White House.

MY DEAR MR. PRESIDENT: The Shoalwater Indian Reservation, Washington, embracing 334.75 acres, was established by Executive order of September 22, 1866, for the use of some 30 or 40 families of Indians residing at Shoalwater Bay. Most of these families have severed all connection with the reservation, and a large number have received full tribal rights and benefits on other reservations. There are now three families living on the reservation, the members of which have received allotments on the Quinaielt Reservation with the exception of four children.

It is proposed to allot the land in suitable areas to these chidren and to any other Indians entitled to allotment on the reservation in accordance with the act of February 8, 1887 (24 Stat. 388), as amended, reserving a suitable area for cemetery purposes to be used by the Indians in common. Inasmuch as presidential authority is required for the purpose, it is recommended that you attach your approval to this letter as our permission to have the work done.

Very truly yours,

(Sgd.) E. C. FINNEY,
Acting Secretary.

THE WHITE HOUSE, *April 6, 1927.*
Approved:

(Sgd.) CALVIN COOLIDGE.

EXTENSION OF TRUST PERIOD ON ALLOTMENTS OF THE YAKIMA INDIAN RESERVATION, WASH.

It is hereby ordered, under authority contained in section 5 of the act of February 8, 1887 (24 Stat. 388, 389), that the trust periods on allotments made in favor of Indians of the Yakima Reservation, Wash., which trust periods expire during the calendar years 1931 and 1932, be, and the same are hereby, extended for a period of 10 years from the dates of expiration.

HERBERT HOOVER.

THE WHITE HOUSE, *November 10, 1931.*

[No. 5746]

EXTENSION OF TRUST PERIOD ON ALLOTMENTS MADE TO INDIANS OF THE SPOKANE RESERVATION, WASHINGTON

By virtue of and pursuant to the authority vested in me by section 5 of the act of February 8, 1887 (ch. 119, 24 Stat. 388, 389), and the act of June 21, 1906 (ch. 3504, 34 Stat. 325, 326), it is ordered that the period of trust on allotments made to Indians of the Spokane Reservation, Washington, upon which the period of trust expires during the calendar year 1935, be, and it is hereby, extended for a period of ten years from the date on which any such trust would otherwise expire: *Provided, however,* that the extension of the period of trust herein made shall be subject to the provisions of the act of June 18, 1934 (ch. 576, 48 Stat. 984), and if the provisions of said Act are made applicable to the said Reservation by the election provided for in said Act, this order shall thereafter cease to be of force and effect.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 7, 1935.*

[No. 6939]

EXTENSION OF TRUST PERIODS ON ALLOTMENTS MADE TO INDIANS OF THE COLVILLE RESERVATION, WASHINGTON

By virtue of and pursuant to the authority vested in me by section 5 of the act of February 8, 1887 (ch. 119, 24 Stat. 388, 389), and the act of June 21, 1906 (ch. 3504, 34 Stat. 325, 326), it is ordered that the periods of trust on allotments made to Indians of the Colville Reservation, Washington, which, unless extended, would expire during the calendar year 1935, be, and they are hereby, extended for a further period of 10 years from the date on which any such trust would otherwise expire; *Provided, however,* That extensions of the trust periods herein provided for are made subject to the provisions of the act of June 18, 1934 (ch. 576, 48 Stat. 984), and if a majority of the adult Indians of said reservation voting at the election to be held under section 18 of said act shall vote in favor of the application of the provisions of the act to the reservation, then this order shall thereafter cease to be of force and effect.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *February 4, 1935.*

[No. 6962]

EXTENSION OF TRUST PERIODS ON ALLOTMENTS MADE TO INDIANS OF THE YAKIMA RESERVATION

WASHINGTON

By virtue of and pursuant to the authority vested in me by section 5 of the act of February 8, 1887 (ch. 119, 24 Stat. 388–389), it is ordered that the periods of trust on allotments made to Indians of the Yakima Reservation, Washington, which, unless extended, would expire during the calendar year 1935, be, and they are hereby, extended for a further period of 10 years from the date on which any such trust would otherwise expire.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *May 8, 1935.*

[No. 7036]

PART IV

UNRATIFIED TREATIES

TREATY WITH THE SHO-SHO-NEE NATION OF INDIANS (COMMONLY CALLED SNAKE DIGGERS) AUGUST 7, 1855

Treaty made and concluded on the 7th day of August one thousand eight hundred and fifty five between Garland Hurt Indian Agent for the Territory of Utah for and in behalf of the President and Senate of the United States of the one part and the Chiefs, head men, and warriors of the Sho-sho-nee Nation of Indians (commonly called Snake Diggers) occupying the northern, and middle portion of the Valley of the Humboldt River of the other part

August 7, 1855.
Unratified.

ART. 1ST.—We the Chiefs and head men of the Sho-sho-nee Nation do hereby declare that all former disputes and feelings of hostility between our people and the people of the United States are this day amicably adjusted and settled.

ART. 2ND.—We guarantee to the people of the United States perfect safety to life and property at all times when peacefully sojourning in, or traveling through our country.

ART. 3RD.—We give the right of way through our country to the people of the United States, that said people may pass and repass without harm to themselves or property.

ART. 4TH.—We will treat all persons claiming to be citizens of the United States who may settle in our country as brothers and friends, and not as enemies.

ART. 5TH.—We acknowledge the supremacy of the laws of the United States and that all persons who may hereafter commit crimes within the limits of our country shall be accounted answerable to said laws.

ART. 6TH. We will use all diligence when called to aid the officers and people of the United States in arresting and bringing to justice, all persons who may have committed crimes within the limits of our country irrespective of the tribes or nations to which the offenders may belong.

ART. 7TH.—And the said Garland Hurt for, and in behalf of the President and Senate of the United States, pledges hereby the friendship and good will of the people of the said States to the Chiefs and people of the said Sho-sho-nee Nation.

ART. 8TH.—For, and in consideration of the faithful observance of all the obligations above stipulated on the part of the Chiefs and people of the said Sho-sho-nee Nation of Indians, the President of the United States will give to the Chief and people of said nation, through his proper agent, the sum of three thousand dollars in presents (such as provisions, clothing and farming implements &c) to be delivered to them at some convenient point within the limits of their country, on or before the 30th day of September 1857: *Provided however* that if any part of the above treaty shall be violated by any of the Chiefs or people of the said Sho-sho-nee Nation the above obligations on the part of the President of the United States shall be void, or held at his discretion until such time as ample atonement shall have been made for such violation: *Provided further*, that if the President and Senate of the United States shall refuse to ratify this treaty, the same shall be void.

In witness whereof the said Garland Hurt and the aforesaid Chiefs and head men have hereunto subscribed their names and affixed the seals.

GARLAND HURT [SEAL]
NIM-OH-TEE-CAH (his x mark) (Man Eater) [SEAL]
SHO-COP-IT-SEE (his x mark) (Old Man) [SEAL]
PAN-TOW-GUAN (his x mark) (Diving Mink) [SEAL]
TOW-QUAN-DAVAT-SEE (his x mark) (Young Ground Hog) [SEAL]
SHO-COP-IT-SEE JUNIOR (his x mark) [SEAL]
POW-WAN-TAH-WAH (his x mark) (Strong Smoker) [SEAL]
JAN-OUP-PAH (his x mark) (Chinning Man) [SEAL]
INK-AH-BIT (his x mark) (Head Man) [SEAL]
KO-TOO-BOT-SEE (his x mark) [SEAL]
WOT-SOW-WIT-SEE-MOT-TOW (his x mark) (The four Shians) [SEAL]

Signed in presence of A. P. Hawes, Interpreter.

PETER HAWES,
C. L. CRAIG,
VAN EPPS HUGNUIN,
FRANCIS GOMAS,
JOSEPH KANOIS,
LEONARD WINES,
CHARLES WOODARD,
KAMOSEE ORTAGAN,
HENRY WOODARD,
FRANCIS WOODARD,
JOHN ENOS,
ORLO WHITESIDE,
NORMON DAY.

TREATY WITH THE CAPOTE BAND OF UTAHS IN NEW MEXICO, AUGUST 8, 1855

August 8, 1855.
Unratified.

Articles of agreement and convention, made and concluded at Abiquiu, in the Territory of New Mexico, this eighth day of August, one thousand eight hundred and fifty-five, by David Merriwether, sole commissioner, duly appointed for that purpose, on the part of the United States, and the undersigned chiefs, captains, and headmen, of the Capote band of the Utah tribe or nation of Indians, they being thereto duly authorized, and acting for and in behalf of said band.

ARTICLE I

Peace, friendship, and amity, shall forever hereafter exist between the United States of America and the Capote Utahs, and this convention, and every article and stipulation thereof, shall be perpetual, and observed and performed in good faith.

ARTICLE II

The Capote Utahs hereby covenant and agree, that peaceful relations shall be maintained amongst themselves and all other bands, tribes, and nations of Indians, within the United States, and that they will abstain from committing hostilities or depredations in future, and cultivate mutual good will and friendship.

ARTICLE III

The Capote Utahs hereby cede, and forever relinquish to the United States, all title or claim whatsoever which they have to lands within the Territory of New Mexico, except so much as is hereinafter reserved to them. And the Capote Utahs further agree and bind themselves to remove to and settle on the lands herein reserved to them within one year after the ratification of this treaty, without any cost or charge to the United States whatever for their removal; and that they will cultivate the soil,

and raise flocks and herds for a subsistence; and that the President of the United States may withhold the annuities herein stipulated to be paid, or any part thereof, whenever the Capotes shall violate, fail, or refuse to comply with any provision of this instrument, or to cultivate the soil in good faith.

ARTICLE IV

The United States agree to set apart and withhold from sale, for the use of the Capote Utahs for their permanent homes, and hereby guarantee to them the possession and enjoyment of a tract of country within that portion of New Mexico now claimed by them, and bounded as follows, viz: Beginning on the Rio San Juan at the mouth of the Rio de las Animas, thence up the Rio de las Animas to the northern boundary of New Mexico; thence east with the northern boundary of New Mexico to the top of the mountain which divides the waters of the Rio Grande from those of San Juan; thence southwardly with the top of said dividing ridge or mountain to the head of the Amarillo; thence down the same to the Rio San Juan, and down that river to the beginning.

ARTICLE V

The United States is hereby authorized to define the boundaries of the reserved tract, when it may be necessary, by actual survey or otherwise; and the President may, from time to time, at his discretion, cause the whole, or any part thereof, to be surveyed; and may assign to each head of a family, or single person, over twenty-one years of age, twenty acres of land for his or her separate use and benefit; and each family of three, and less than five persons, forty acres of land; and to each family of five or more persons, sixty acres; and he may, at his discretion, as fast as the occupants become capable of transacting their own affairs, issue patents therefor to such occupants, with such restrictions of the power of alienation as he may see fit to impose. And he may, also, at his discretion, make rules and regulations respecting the disposition of the lands in case of the death of the head of a family or a single person occupying the same, or in case of its abandonment by them; and he may also assign other lands in exchange for mineral lands, if any such are found on the tract herein set apart; and he may also make such changes in the boundary of such reserved tract as shall be necessary to prevent interference with any vested rights. All necessary roads, highways, and railroads, the lines of which may run through the reserved tract, shall have the right of way through the same, compensation being made therefor as in other cases; but the President may grant the right of way to any such roads free of charge, and establish such military posts as he may think proper.

ARTICLE VI

In consideration of, and full payment for, the country ceded, and the removal of the Capote Utahs, the United States agree to pay to the Capotes the following sums, without interest, to wit: The United States will, during the years 1856, 1857, and 1858, pay to the Capotes five thousand dollars each year; during the year 1859 and the two next succeeding years thereafter, the sum of three thousand dollars each year and during the year 1862, and the next succeeding twenty years thereafter, the sum of two thousand dollars each year. All of which several sums of money shall be paid to the Capotes, or expended for their use and benefit, under the direction of the President of the United States, who may, from time to time, determine at his discretion what proportion of the annual payments in this article provided for, if any, shall be paid to them in money, and what proportion shall be applied to and expended for their moral improvement and education; for such beneficial objects as, in his judgment, will be calculated to advance them in civilization; for building, opening farms, breaking lands, providing stock, agricultural implements, seeds, &c.; for employing farmers to teach the Indians to cultivate the soil; for clothing, provisions, and merchandise; for iron, steel, arms, and ammunition; for mechanics and tools, and for medical purposes.

ARTICLE VII

The annuities of the Indians are not to be taken to pay the debts of individuals, but satisfaction for depredations committed by them shall be made by the Indians in such manner as the President may direct. Nor shall any part of the amount stipulated to be paid ever be applied, by the chiefs or headmen, to the payment of tribal debts or obligations to traders or other persons.

ARTICLE VIII

No spirituous liquors shall be made, sold, or used, on any of the lands herein set apart for the residence of the Indians, and the sale of the same shall be prohibited in the country hereby ceded, until otherwise ordered by the President.

ARTICLE IX

The laws now in force, or which may hereafter be enacted by Congress, for the regulation of trade and intercourse with the Indian tribes, shall continue and be in force in the country set apart for the Capotes; and such portions of said laws as prohibit the introduction, manufacture, use of, and traffic in ardent spirits in the Indian country, shall continue and be in force in all the country ceded, until otherwise provided by law.

ARTICLE X

The Capotes do further agree and bind themselves to restore all prisoners held by them, and to make restitution, or satisfaction, for any injuries done by them, or any individual of their band, to the people of the United States, and to surrender to the proper authorities of the United States, when demanded, any individual or individuals who may commit depredations, to be punished according to law. And if any citizen of the United States shall, at any time, commit depredations upon the Indians, the Capotes agree that they will not take private satisfaction or revenge themselves, but instead thereof they will make complaint to the proper Indian agent for redress. And the said Indians do further agree to refrain from all warlike incursions into the Mexican provinces, and from committing depredations upon the inhabitants thereof.

ARTICLE XI

This treaty shall be obligatory upon the contracting parties as soon as the same shall be ratified by the President and Senate of the United States.

In testimony whereof, the said David Merriwether, commissioner as aforesaid, and the undersigned chiefs, captains, and headmen of the said band of Capote Utah Indians have hereunto set their hands and seals, at the place and on the day and year herein before written.

D. MERRIWETHER, [L. S.]
Commissioner for the United States.

YCUSACHÉ,	his x mark.	[L. S.]
TAMUCHE,	his x mark.	[L. S.]
JOAQUIN,	his x mark.	[L. S.]
SOVÉTÁ,	his x mark.	[L. S.]
MUAYNOMÉ,	his x mark.	[L. S.]
GUADALUPE,	his x mark.	[L. S.]
CHIVATO,	his x mark.	[L. S.]
TAMASHÉ,	his x mark.	[L. S.]
TABACO,	his x mark.	[L. S.]
PINORMUCHÉ,	his x mark.	[L. S.]
AVAGUERÉ,	his x mark.	[L. S.]

Witnesses present:
RICHARD S. EWELL, *Captain 1st Dragoons.*
D. D. LORE.
LORENZO LABUDI, *Indian Agent.*
SAMUEL ELLISON, *Translator.*

OFFICE SUPERINTENDENT OF INDIAN AFFAIRS,
Santa Fé, New Mexico, August 14, 1855.

SIR: I have the honor herewith to enclose you a treaty recently made by me with the Capote Utah Indians, together with a paper containing the substance of what was said on the occasion, and a hope is entertained that the treaty may meet your approval.

This band of Utahs numbers between two and three hundred warriors, and about one thousand souls; few of the women and children were present, but over two hundred warriors attended and sanctioned the treaty; only three men of any note were absent, and they are secondary characters. The country reserved to the Capotes embraces the head waters of the San Juan river, lays above and adjoining the Navajoe reserve, and contains about two thousand square miles, not over twenty square miles of which is susceptible of cultivation, but being the best hunting grounds within this Territory.

These Indians very reluctantly consented to commence the cultivation of the soil for a subsistence, but having done so I have strong hopes of success on this point, as I have found this band more reliable and better disposed than any other wild Indians within the Territory, and during all our difficulties with other bands of this tribe, we have had but little cause to complain of the Capotes. I therefore deemed it to be good policy to deal liberally with them, to grant them liberal annuities, and make them liberal presents, with a view of such a course having its effect upon the hostile Mohuaches; then if we can succeed in teaching the Capotes to cultivate the soil for a subsistence, it will have a powerful effect upon all the other bands of this savage tribe.

The Mohuaches did not meet me at Abiquiu as I had hoped and expected; but Cuniache, their head chief, sent me word by the Capotes that his band was too much scattered to collect together in time, but that he had given orders to his followers to cease hostilities and assemble on the Conejos during the next moon, when they would be prepared to meet me.

The reasons assigned in my letter enclosing the Apache treaties for an early action on the part of the Executive and Senate, will equally apply to the one enclosed.

I have the honor to be, very respectfully, your obedient servant,

D. MERRIWETHER,
Gov. and Sup't of Indian Affairs in New Mexico.

Hon. G. W. MANYPENNY,
Com'r of Indian Affairs, Washington City, D. C.

TREATY WITH THE MOHUACHE BAND OF THE UTAHS, IN NEW MEXICO, SEPTEMBER 11, 1855

September 11, 1855.
Unratified.

Articles of agreement and convention made and concluded at Abiquiu, in the Territory of New Mexico, this eleventh day of September, one thousand eight hundred and fifty-five, by David Merriwether, sole commissioner, duly appointed for that purpose, on the part of the United States, and the undersigned chiefs, captains and headmen of the Mohuache band of the Utah tribe or nation of Indians, they being thereto duly authorized, and acting for and in behalf of said band

ARTICLE I

Peace, friendship and amity shall forever hereafter exist between the United States of America and the Mohuache Utahs, and this convention, and every article and stipulation thereof, shall be perpetual, and observed and performed in good faith.

ARTICLE II

The Mohuache Utahs hereby covenant and agree that peaceful relations shall be maintained amongst themselves and all other bands, tribes and nations of Indians within the United States; and that they will abstain from committing hostilities or depredations in future, and cultivate good will and friendship.

ARTICLE III

The Mohuache Utahs hereby cede and forever relinquish to the United States all title or claim whatsoever which they have to lands within the Territory of New Mexico, except so much as is hereinafter reserved to them. And the Mohuache Utahs further agree and bind themselves to remove to and settle on the lands herein reserved to them within one year after the ratification of this treaty, without any cost or charge to the United States whatever for their removal; and that they will cultivate the soil and raise flocks and herds for a subsistence; and that the President of the United States may withhold the annuities herein stipulated to be paid, or any part thereof, whenever the Mohuaches shall violate, fail, or refuse to comply with any provision of this instrument, or to cultivate the soil in good faith.

ARTICLE IV

The United States agree to set apart and withhold from sale, for the use of the Mohuaches for their permanent homes, and hereby guarantee to them the possession and enjoyment of a tract of country bounded as follows, viz: Beginning on the west side of the Rio Grande, at the mouth of the Jarro creek, thence with a line running due west to the top of the range of mountains which separates the waters of the Rio Grande from those of the San Juan; thence northwardly along the top of said range of mountains to the northern boundary of the Territory of New Mexico; thence east, with the northern boundary of New Mexico, to the Rio Grande; thence down the Rio Grande to the beginning. But if the said boundary should not contain one thousand square miles, then the Mohuache Utahs are to have other lands assigned to them adjoining the foregoing, sufficient to make up one thousand square miles.

ARTICLE V

The United States is hereby authorized to define the boundaries of the reserved tract, when it may be necessary, by actual survey, or otherwise, and the President may, from time to time, at his discretion, cause the whole or any part thereof to be surveyed; and may assign to each head of a family, or single person over twenty-one years of age, twenty acres of land for his or her separate use and benefit; and each family of three and less than five persons, forty acres of land; and to each family of five or more persons, sixty acres; and he may, at his discretion, as fast as the occupants become capable of transacting their own affairs, issue patents therefor to such occupants, with such restrictions of the power of alienation as he may see fit to impose; and he may, also, at his discretion, make rules and regulations respecting the disposition of the lands in case of the death of the head of a family or a single person occupying the same, or in case of its abandonment by them; and he may also assign other lands in exchange for mineral lands, if any such are found on the tract herein set apart. And he may also make such changes in the boundary of such reserved tract as shall be necessary to prevent interference with any vested rights. All necessary roads, highways and railroads, the lines of which may run through the reserved tract, shall have the right of way through the same, compensation being made therefor, as in other cases; but the President may grant the right of way to any such roads free of charge, and establish such military posts as he may think proper.

ARTICLE VI

In consideration of, and full payment for, the country ceded, and the removal of the Mohuache Utahs, the United States agree to pay to them the following sums, without interest, to wit: The United States will, during the years 1856, 1857, and 1858, pay to the Mohuaches five thousand dollars each year; during the year 1859, and the two next succeeding years thereafter, the sum of three thousand dollars each year; and during the year 1862, and the next succeeding twenty years thereafter, the sum of two thousand dollars each year.

All of which several sums of money shall be paid to the Mohuaches, or expended for their use and benefit, under the direction of the President of the United States, who may, from time to time, determine, at his discretion, what proportion of the annual payments in this article provided for, if any, shall be paid to them in money, and what proportion shall be applied to and expended for their moral improvement and education; for such beneficial objects as in his judgment will be calculated to advance them in civilization; for building, opening farms, breaking lands, providing stock, agricultural implements, seeds, &c.; for employing farmers to teach the Indians to cultivate the soil; for clothing, provisions, and merchandise; for iron, steel, arms, and ammunition; for mechanics and tools; and for medical purposes.

ARTICLE VII

The annuities of the Indians are not to be taken to pay the debts of individuals; but satisfaction for depredations committed by them shall be made by the Indians in such manner as the President may direct. Nor shall any part of the amounts stipulated to be paid ever be applied by the chiefs or headmen to the payment of tribal debts or obligations to traders or other persons.

ARTICLE VIII

No spirituous liquors shall be made, sold, or used, on any of the lands herein set apart for the residence of the Indians, and the sale of the same shall be prohibited in the country hereby ceded until otherwise ordered by the President.

ARTICLE IX

The laws now in force, or which may hereafter be enacted by Congress, for the regulation of trade and intercourse with the Indian tribes, shall continue and be in force in the country set apart for the Mohuaches, and such portions of said laws as prohibit the introduction, manufacture, use of, and traffic in ardent spirits, in the Indian country, shall continue and be in force in all the country ceded until otherwise provided by law.

ARTICLE X

The Mohuaches do further agree and bind themselves forthwith to liberate all captives in their possession, and to make restitution, or satisfaction, for any injuries done by them or any individual of their band, to the people of the United States, and to surrender to the proper authorities of the United States, when demanded, any individual or individuals who may commit depredations, to be punished according to law. And if any citizen of the United States shall at any time commit depredations upon the Indians, the Mohuaches agree that they will not take private satisfaction or revenge themselves; but, instead thereof, they will make complaint to the proper Indian agent for redress. And the said Indians do further agree to refrain from all warlike incursions into the Mexican provinces, and from committing depredations upon the inhabitants thereof.

ARTICLE XI

This treaty shall be obligatory upon the contracting parties as soon as the same shall be ratified by the President and Senate of the United States.

In testimony whereof, the said David Merriwether, commissioner as aforesaid, and the undersigned chiefs, captains, and headmen of the said band of Mohuache Utah

Indians, have hereunto set their hands and seals, at the place and on the day and year herein before written.

D. MERRIWETHER, [L. S.]
Commissioner on the part of the United States.

CANIACHÉ,	his x mark.	[L. S.]
SASAREBU,	his x mark.	[L. S.]
BENADO,	his x mark.	[L. S.]
SANACOCHUCHE,	his x mark.	[L. S.]
SORICHUPO,	his x mark.	[L. S.]
PACHE-NI-BUENO,	his x mark.	[L. S.]
NAVOCUTE,	his x mark.	[L .S.]
BENITO,	his x mark.	[L. S.]
MANUEL MARTIN,	his x mark.	[L. S.]
TIERRA BLANCA,	his x mark.	[L. S.]
BLANCO,	his x mark.	[L. S.]
CURICQUEQUE,	his x mark.	[L. S.]
CUCUATOZ,	his x mark.	[L. S.]
DOMINGO,	his x mark.	[L. S.]
NAPAGUIGACH,	his x mark.	[L. S.]

Witnesses present:
RICHARD S. EWELL. *Captain 1st Dragoons.*
LORENZO LABUDI, *Indian Agent.*
SAMUEL ELLISON, *Translator.*
SOLOMON BEUTHNER, *Postmaster.*

OFFICE OF SUPERINTENDENT OF INDIAN AFFAIRS,
Santa Fé, September 15, 1855.

SIR: I have honor herewith to enclose you two treaties recently concluded by me, one with the Jicarilla Apache, and the other with the Mohuache Utah Indians, and to inform you that these treaties again restore all the Indians of this superintendency to peace and quiet.

There was a very general attendance on the part of both of these bands of Indians, all the principal men being present except José Largo, a Jicarilla, whom they informed me had gone to join the Mescaleros and take shelter under the treaty of peace made with that band; and they manifested a great desire for peace, both professing a willingness to abandon their roving and predatory habits, and to resort to the cultivation of the soil for a subsistence. Before signing the treaties, every article was fully explained to the Indians, and I have no doubt that they fully comprehended every stipulation contained therein.

The Jicarillas number from two to three hundred souls; and the country assigned to them contains from two hundred to two hundred and fifty square miles, only about five or six square miles of which *is* susceptible of cultivation, but a portion of the remainder affords good pasture lands. These Indians appeared in the most abject and destitute condition imaginable; they had but few horses and but little clothing, and they informed me that they had lost about one hundred and forty of their people since the commencement of hostilities.

The Mohuaches number about one thousand souls, and the country assigned to them will probably contain a little less than one thousand square miles, but there is a provision in the treaty which secures to them that amount of the land contained within the boundary stipulated. Probably from ten to fifteen square miles *is* susceptible of cultivation, and a portion of the remainder affords good pasture lands. These Indians did not appear to be in so destitute a condition as the Jicarillas, but they acknowledge that they have lost many of their people, many horses, and other property, since the commencement of hostilities.

The reasons assigned in my communication enclosing the treaty with the Mescaleros and Mimbres Apaches, for a speedy action on the part of the Executive and Senate upon that treaty, applies with equal force to the treaties herewith enclosed.

I have the honor to be, very respectfully, your obedient servant,

D. MERRIWETHER,
Governor and Superintendent of
Indian Affairs in New Mexico.

Hon. G. W. MANYPENNY,
Commissioner of Indian Affairs,
Washington City, D. C.

TREATY WITH MIXED BANDS OF BANNACKS AND SHOSHONEES, OCTOBER 14, 1863

October 14, 1863
Unratified

Treaty of Peace and Friendship, made at Soda Springs in Idaho Territory this fourteenth day of October A. D. one thousand eight hundred and sixty three, by and between the United States of America, represented by Brigadier General T. Edward Connor, commanding the Military District of Utah &c. and James Duane Doty, Commissioner, and the undersigned chiefs of the mixed Bands of Bannacks and Shoshonees occupying the valley of Shoshonee River, as follows—

ARTICLE I. It is mutually agreed that friendly and amicable relations shall be reestablished between the said Bands and the United States; and that a firm and perpetual peace shall be henceforth maintained between the said bands and the United States.

ARTICLE II. The Treaty concluded at Fort Bridger on the 2nd day of July 1863 between the United States and the Shoshonee nation, and also the Treaty concluded at Box Elder on the 30th day of July 1863 between the United States and the North western Bands of the Shoshonee Nation being read and fully interpreted and explained to the said chiefs, they do hereby give their full and free assent to all of the provisions of Said Treaties, and the same are hereby adopted as a part of this Treaty, and the same shall be binding upon the parties hereto, the said Bands sharing in the annuities therein provided for the Shoshonee Nation.

ARTICLE III. The said Bands, in addition, agree that the roads now used by white men between Soda Springs and the Beaver Head Mines and between Salt Lake and the Boise river Mines, as also such other roads, as it may be necessary or convenient for the white man to make and use between said places, or between other points within their country, shall at all times be free and safe for travel; and no depredations shall be committed upon white men in any part of their country. And the said Bands hereby acknowledge to have received of the United States by its commissioner, at the Signing of these articles, provisions and goods to the amount of three thousand dollars to relieve their immediate wants before their departure to their Hunting grounds.

ARTICLE IV. The country claimed by the Said Bands jointly with the Shoshonee Nation, extends, as described by them from the lower part of Humboldt river, and the Salmon Falls on Shoshonee river, eastwardly to the Wind river mountains—

Done at Soda Springs this fourteenth day of October A. D. 1863.

JAMES DUANE DOTY,
Commissioner.
T. EDW. CONNOR,
Brig. Genl W. S. V., Comdg. Dist Utah.

In presence of the Undersigned Witnesses—
DAVID BLACK,
Capt. 3rd In'fty C. V., Commdg. Camp Connor
HORACE WHEAT
AMOS R. WRIGHT
WILLIS H. BOOTHE
Special Interpreters.

SHAWOWUK	his x mark
WASHETIABO	" x "
NAVE-YO'-GUN	" x "
MOPEEAH	" x "
GOOSH'AGUND	" x "
BOO'EWUT	" x "
TO'SOKBWANBENAHT	" x "
TAHGEE	" x "
WAY'GEEWUNAH	" x "
WONAGNND	" x "
MATIGUND	" x "
TEE'NITZE	" x "
TAY'BE	" x "

IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
March 7, 1864.

Resolved (*two thirds of the Senators present concurring*) That the Senate advise and consent to the ratification of the Treaty of Peace and Friendship, made at Soda Springs in Idaho Territory, the fourteenth day of October A. D., One thousand eight hundred and sixty three, by and between the United States of America, represented by Brigadier General P. Edward Connor commanding the Military district of Utah &c, and James Duane Doty, Commissioner, and the chiefs of the mixed Bands of Bannocks and Shoshonees, occupying the Valley of Shoshonee river, with the following *Amendment:* insert the following as a new Article:

ARTICLE 5. Nothing herein contained shall be construed or taken to admit any other or greater title or interest in the lands embraced within the Territories described in Said Treaty in Said Tribes or Bands of Indians than existed in them upon the acquisition of said Territories from Mexico by the laws thereof.

Attest:

J. W. FORNEY, *Secretary.*

TREATY WITH THE UTAH, YAMPAH UTE, PAH-VANT, SANPETE UTE, TIM-P-NOGS AND CUM-NM-BAH BANDS OF THE UTAH INDIANS, JUNE 8, 1865

June 8, 1865.
Unratified.

Articles of Agreement and Convention made and concluded at Spanish Fork Indian Farm, in the Territory of Utah, this Eighth day of June, Eighteen hundred and sixty five, by O. W. Irish, Superintendent of Indian Affairs for said Territory, Commissioner, on the part of the United States, and the undersigned chiefs, head men and delegates of the Utah, Yampah Ute, Pah-vant, Sanpete Ute, Tim-p-nogs and Cum-nm-bah Bands of the Utah Indians occupying the lands within Utah Territory, on behalf of Said Indians and duly authorized by them.

ARTICLE 1. The said bands of Indians hereby surrender and relinquish to the United States all their possessory right of occupancy in and to all of the lands heretofore claimed and occupied by them, as hereinafter mentioned, within the defined boundaries of the Territory of Utah as follows—towit, Commencing at a point formed by the intersection of the thirty second degree of longitude west from Washington with the forty first degree of north latitude; thence due west on the forty first degree of north latitude to the thirty eighth degree of longitude; thence due south on the thirty eighth degree of longitude to the thirty eighth degree of north latitude; thence due east on the thirty eighth degree of north latitude to the thirty second degree of longitude thence due north on the thirty second degree of longitude to the forty first degree of north latitude to the place of beginning.

ART. II. There is however reserved for the exclusive use and occupation of the said tribes the following tract of lands; viz "the entire valley of the Uintah River within Utah Territory extending on both sides of said river to the crest of the first range of contiguous mountains on each side" which said tract shall be, so far as is necessary, surveyed and marked out, set aside and reserved for their exclusive use and occupation nor shall any white person, unless he be in the employ of the Indian authorities, be permitted to reside upon the same, without permission of the said tribe, and of the Superintendent of Indian Affairs or United States Indian Agent. It is however understood that should the President of the United States hereafter see fit to place upon the reservation, any other friendly tribe or bands of Indians of Utah Territory, to occupy the same in common with those above mentioned, he shall be at liberty to do so.

ART. III. The said tribes and bands agree to remove to and settle upon the said reservation within one year after the ratification of this treaty, provided the means are furnished them by the United States to enable them to do so—In the meantime it shall be lawful for them to reside upon any land not in the actual claim and occupation of citizens of the United States, and upon any land claimed or occupied if with the permission of the owner.

ART. IV. The right of taking fish at usual and accustomed grounds, and stations is further reserved to said Indians in common with all white citizens of the Territory and of erecting temporary houses for the purpose of curing them, together with the privilege of hunting and gathering roots and berries on open and unclaimed lands.

ART. V. In consideration of the foregoing relinquishment of their right of possession the United States agree and stipulate as follows; viz:

First, To protect the Indians in the possession of the aforesaid tract of land reserved for their future homes, and their persons and property thereon, during good behavior on their part,

Second, To pay to them, or expend for their benefit the sum of twenty five thousand ($25,000^{00}/_{100}$) dollars per annum for ten years; commencing with the year in which they shall remove to and settle upon the tract of land hereby reserved for their exclusive use and occupation, twenty thousand ($20,000^{00}/_{100}$) dollars per annum for twenty years, from and after the expiration of the said ten years, and thereafter fifteen thousand ($15,000^{00}/_{100}$) dollars per annum for thirty years; all of which sums of money shall be applied to the use and benefit of the said Indians under the direction of the President of the United States, who may from time to time determine at his discretion upon what beneficial objects to expend the same. It being understood that these

several amounts are fixed as the amounts to be paid to, or expended for the said tribes and bands of Indians upon the basis of their number being five thousand (5,000) persons including men, women and children—If it should, however, hereafter upon a census being taken, be found that there is a material increase or decrease of the said Indians from the number as above stated, then and in that case the said amounts to be paid to them, or expended on their behalf, shall in the same proportion be increased or diminished as the case may be.

Third, For the purpose of making improvements in the Uintah Valley Reservation for the comfort of the Indians who may inhabit the same, to enable them to become self sustaining by means of agriculture, and to procure Cattle for stock raising, the United States agree to expend in accordance with the terms of the Act of Congress approved May 5th 1864, and entitled "An Act to vacate and sell the present Indian reservations in Utah Territory, and to settle the Indians of said Territory in the Uintah Valley," the sum of thirty thousand ($30,000.00) dollars, that being the sum appropriated for this purpose by the said act of Congress.

The United States further agree in pursuance of the aforesaid Act of Congress to sell for the use and benefit of the Indians, for the best price that can be obtained, the Indian reservations known as the Spanish Fork Reservation, containing fifteen thousand (15,000) acres, the San Pete Reservation containing ninety-two thousand one hundred and sixty (92,160) acres, the Corn Creek Reservation containing ninety-two thousand, one hundred and sixty (92,160) acres, and the Deep Creek Reservation containing ninety-two thousand one hundred and sixty (92,160) acres, the four Indian Reservations aforesaid containing in all two hundred ninety-one thousand, four hundred and eighty (291,480) acres. The amount realized from the said sale shall be applied, under the direction of the Secretary of the Interior, in the construction of improvements upon the said Uintah Indian Reservation, or to the purchase of stock, agricultural implements, or such other useful articles as to him may seem best adapted to the wants and requirements of the Indians settled thereon in pursuance of this Treaty: Provided, that if the United States should sell the said lands at an average price of less than sixty-two and one-half cents per acre, then and in that case the amount that the said lands would have realized if sold at that price shall be made up to the Indians and be expended for their benefit by the Secretary of the Interior as aforesaid.

Fourth, The United States agree to establish and maintain for ten years, at an expense not to exceed ten thousand ($10,000.00) dollars per annum a manual labor school for the education and training of the Indian youth in letters, agriculture, the mechanic arts, and housewifery; which school shall be managed and conducted in such manner as the President of the United States shall direct; the said bands of Indians hereby stipulate to constantly keep thereat, during at least nine months in every year, all their children between the ages of seven and eighteen years. It is further agreed that such measures may be adopted, to compel the attendance of the children at the school, as the President may think proper and direct; and whenever he shall be satified of a failure to fulfil the aforesaid stipulation on the part of the Indians he may, at his discretion, diminish or wholly discontinue the allowance and expenditure of the sum herein set apart for the support and maintenance of said school.

Fifth, The United States agree to provide the Indians with a mill suitable for grinding grain and sawing timber, one or more mechanic shops, with the necessary tools for the same, and dwelling houses for an interpreter, miller, engineer for the mill, if one be necessary, farmer and the mechanics that may be employed for their benefit, the whole not to exceed in cost the sum of fifteen thousand ($15,000^{00}/_{00}$) dollars, and also to expend annually, for ten years, an amount not exceeding seven thousand ($7,000^{00}/_{00}$) dollars, for the purpose of furnishing said Indians with such aid and assistance in agricultural and mechanical pursuits, including the working of said mill, as the Secretary of the Interior may consider advantageous and necessary for them; the tribe and bands of Indians hereby stipulating to furnish from their tribe the number of young men that may be required as apprentices and assistants in the mill and mechanic shops, and at least three persons to work constantly with each laborer employed for them in agricultural pursuits, it being understood that such laborers are to be employed more for the instruction of the Indians than merely to work for their benefit.

They do further stipulate and bind themselves to prevent any of the members of their tribe from destroying or injuring the said houses, shops, mill, machinery, stock, farming utensils, or any other thing furnished them by the Government, and in case of any such destruction or injury, or of any of the things so furnished being carried off by any member or members of their tribe, the value of the same shall be deducted from the tribal annuities, and whenever the President shall be satisfied that the Indians have become sufficiently confirmed in habits of industry and advanced in acquiring a practical knowledge of agriculture and the mechanic arts, he may at his discretion, cause to be turned over to the tribe all of the said houses and other property furnished them by the United States, and dispense with the services of any or all of the persons hereinbefore stipulated to be employed for their benefit and assistance. And it is hereby provided, That all of the expenditures and expenses, contemplated by this treaty, in the transportation of supplies, machinery &c shall be defrayed by the United States and shall not be deducted from any one of the several sums herein mentioned, which the United States agree to pay to or expend for the benefit of the said Indians, in pursuance hereof.

ART. VI. The United States shall have the right to establish and maintain such roads or Telegraph lines, as may be deemed necessary, within or running through the tract of country hereby reserved for the use of the Indians, but no greater quantity of land or timber shall be used for said purposes than shall be actually requisite; and if in the establishment or maintenance of such roads, the property of any Indian shall be taken, injured or destroyed, just and adequate compensation shall be made therefor by the United States, and all roads, highways or telegraph lines authorized by competent authority, other than the United States, the lines of which shall lie through said tract, shall have the right of way through the same; the fair and just value of such right being paid to the said tribe and bands of Indians therefor by the party or parties authorizing the same or interested therein; to be assessed and determined in such manner as the President of the United States shall direct. And it is hereby further sitpulated that any substantial improvements heretofore made by any Indian and which he shall be compelled to abandon in consequence of this treaty, shall be valued under the direction of the President and payment made accordingly therefor.

ART. VII. The President may hereafter when in his opinion, the interests of the Indians will be promoted by so doing, cause the whole or any portion of the lands hereby reserved to be surveyed into lots, and assign the same, under such terms and subject to such conditions as he may deem best for the Indians, to such individuals or families of the tribe or bands as are willing to avail themselves of the privilege and will locate on the same as a permanent home. The United States agree to build for the head chiefs of the Utah, Yampah Ute, Pah-vant, Sanpete Ute, Tim-p-nogs and Cum-um-bah bands, each, one dwelling house, and to plough and fence five acres of land for each, and to pay to each, one hundred ($100^{00}/_{100}$) dollars per annum for the term of twenty years. The first payment to each of the said chiefs to commence upon his removal to the said Reservation. The United States further agree to give to each, within three months of his removal to the Reservation, two yoke of oxen, two yokes and two chains, one wagon, one plow, ten hoes, six axes, two shovels, two spades, four scythes and snaths, one saddle and bridle and one set of harness.

ART. VIII. The Annuities of the aforesaid tribes and bands shall not be taken to pay the debts of individuals.

ART. IX. The said tribes and bands acknowledge their dependence on the Government of the United States and promise to be friendly with all Citizens thereof and they pledge themselves to commit no depredations on the property of such Citizens, should any one or more of them violate this pledge and the fact be satisfactorily proven before the Agent, the property taken shall be returned or in default thereof, or if injured or destroyed, compensation may be made by the Government out of their Annuities! Nor will they make war on any other tribe, except in self defence, but will submit all matters of difference between them and the other Indians to the Government of the United States or its Agent, for decision and abide thereby, and if any of the said Indians commit depredations on other Indians within the Territory, the same rule shall prevail as that prescribed in this Article in cases of depredations against Citizens, and the said

tribes agree not to shelter or conceal offenders against the laws of the United States, but to deliver them up to the authorities for trial.

ART. X. The above tribes and bands are desirous to exclude from their reservation the use of ardent spirits and to prevent their people from using the same, and therefore it is provided, That any Indian, belonging to said tribe and bands, who is guilty of bringing Liquor onto said reservation, or who drinks Liquor, may have his or her proportion of the Annuities withheld from him or her for such time as the President may determine, also, that no person, not belonging to the tribe or tribes, or band or bands, occupying this Reservation as before stated, shall be permitted to take Liquor or any intoxicating drink on to Said Reservation without special permission from the Secretary of the Interior.

ART. XI. This treaty shall be obligatory on the contracting parties as soon as the same shall be ratified by the President and Senate of the United States.

In testimony whereof, the said O. H. Irish, Superintendent of Indian Affairs for Utah Territory, and the undersigned Chiefs, headmen and delegates of the aforesaid tribes and bands of Indians have hereunto set their hands and seals, at the place and on the day and year hereinbefore written.

O. H. IRISH,
Supt. Ind. Affairs and Commissioner.

SOW-E-ETT (nearly starved)	his x mark
KON-OSH (man of white hair)	his x mark
TABBY (the sun)	his x mark
TO-QUO-NE (black mountain lion)	his x mark
SOW-OK-SOO-BET (arrow feather)	his x mark
AN-KAR-TEW-ETS (red boy)	his x mark
SAN-PITCH (bull rush)	his x mark
KIBETS (mountain)	his x mark
AM-OOSH	his x mark
AN-KAR-AW-KEG (red rifle)	his x mark
NAUP-PEADES (foot mother)	his x mark
PAN-SOOK (otter)	his x mark
PEAN-UP (big foot)	his x mark
EAH-GAND (shot to pieces)	his x mark
NAR-I-ENT (powerful)	his x mark
QUE-O-GAND (bear)	his x mark

Executed in the presence of—

BRIGHAM YOUNG,
GEO. A. SMITH, *Pres. Legislative Council.*
JOHN TAYLOR, *Speaker House of Representatives.*
H. C. DOLL, *Clerk.*
D. B. HUNTINGTON, *Interpreter Utah Superintendency.*
GEO. W. BEAN, *Interpreter Spanish Fork Farm.*
C. A. HUNTINGTON, *Interpreter Uintah Agency.*

TREATY WITH THE WEBER UTE BAND OF UTAH INDIANS, OCTOBER 30, 1865

October 30, 1865
Unratified.

Articles of Agreement, and Convention made and concluded at G. S. L. City, U. T. in the territory of Utah this 30th day of October Eighteen hundred and sixty five by O. H. Irish, Superintendent of Indian Affairs for said Territory. Commissioner on the part of the United States and the undersigned. Chiefs head-men and delegates of the Weber Ute band of Utah Indians, occupying lands within Utah Territory on behalf of said Indians and duly authorized by them.

ART. 1. Whereas the treaty made and concluded at Spanish Fork Indian Farm on the eighth day of June A. D. 1865 between the United States and the several bands or tribes of Utah Indians having been read and fully interpreted and explained to the Chiefs head-men and delegates of the Weber Ute band of Utah Indians. Thereupon

they the said bands of Indians agree to faithfully observe and abide by all the provisions stipulations and agreements contained in said treaty and they do hereby surrender and relinquish to the United States all their possessory right of occupancy in and to all of the land heretofore claimed and occupied by them within the defined boundaries of the Territory of Utah as described in the second article of said Treaty.

ART. 2. In consideration of the foregoing agreement on the part of the said Indians and their relinquishment of their right of possession to the lands within Utah Territory as mentioned and described in the said treaty. The United States agree and stipulate to secure to the members of said Weber Ute band of Indians all the rights, and privileges guaranteed by the treaty aforesaid made and concluded at Spanish Fork, Indian Farm on the eighth day of June A. D. 1865 between the United States and the several bands of Utah Indians jointly with said band or tribe of Indians and they the said band of Indians do further hereby agree to confederate with the several bands of Utah Indians parties to the said treaty and to remove to and settle upon the Uintah Indian Reservation within one year after the ratification of this treaty provided the means are furnished them by the United States to enable them to do so. Whenever they shall be entitled to and shall participate jointly with the Utah co-parties to the said treaty in all of the annuities and the advantages to be derived from the improvements and schools therein provided for.

ART. 3.—This treaty shall be obligatory on the contracting parties as soon as the same shall be ratified by the President and Senate of the United States.

In testimony whereof the O H Irish Superintendent of Indian Affairs for Utah Territory and the undersigned. Chiefs head-men and delegates of the aforesaid band of Indians have set their hands at the place on the day and year hereinbefore.

O. H. IRISH,
Supt-Ind Affairs Commissioner.

SEE-GO-ETT	his x mark
TOW-ICH	his x mark
NAR-A-COOTS	his x mark
WAH-KER	his x mark
TO-A-BITCH	his x mark
PE-DO	his x mark
TO-NE-OO	his x mark
OBER-ICH	his x mark
SO-NEEP	his x mark
WILLIAM	his x mark
KID-IP	his x mark
SAM	his x mark
KUB-ER-UUP	his x mark
CHARLEY	his x mark
OLD JOHN	his x mark

Executed in presence of

F. H. HEAD
H. C. DOLL
Clerk of Utah Superintendency.
D. B. HUNTINGTON,
Interpreter.

TREATY WITH CROW NATION OF INDIANS, MONTANA, JULY 16, 1866.

July 16, 1866.
Unratified.

Article of agreement in convention made and concluded at Fort Union, in the Territory of Montana, on this sixteenth day of July, in the year of our Lord one thousand eight hundred and sixty-six, by and between Newton Edmund, Governor and ex officio Superintendent of Indian Affairs of Dakota Territory; Major General Samuel R. Curtis; Orrin Guernsey, and Henry W. Reed, commissioners on the part of the United States, and the chiefs and headmen of the Crow Nation or Tribe of Indians, they being duly authorized for said purpose by their respective bands. *Witnesseth as follows:*

ARTICLE 1. Perpetual peace, friendship, and amity shall hereafter exist between the United States and the Crow Nation or Tribe of Indians, parties to this treaty.

ARTICLE 2. The said Crow Nation or Tribe of Indians do hereby mutually, jointly, and severally promise and agree that they will maintain peaceful and friendly relations toward the whites; that they will in future abstain from all hostilities whatsoever against each other, and cultivate mutual good will and friendship, not only among themselves but toward all other tribes or bands of Indians.

ARTICLE 3. We, the chiefs and headmen of the Crow Nation or Tribe of Indians, parties to this treaty, being by our respective bands thereunto authorized and directed, do hereby grant and convey unto the United States the right to lay out and construct roads, highways, and telegraph lines up the valley of the Yellowstone River to Virginia City and Helena in Montana, and to use their influence to protect them from annoyance or interference by Indians of their own or other tribes; and they also grant to the United States the privilege of establishing depots and military and stage stations at suitable points along said line; hereby conveying all right to such reservations, not exceeding ten miles square at each point, for survey settlement and cultivation, at the discretion of the United States.

ARTICLE 4. No person unless in the employment of the United States, or duly licensed to trade with said Indians, or members of the families of such persons, shall be permitted to reside in or settle upon any part of said tract or portion of country included or designated herein; nor shall said Indians sell, alienate, or dispose of these or any other lands claimed by them, except to the United States.

ARTICLE 5. The said Crow Nation or Tribe of Indians, parties to this treaty, hereby acknowledge their dependence upon the United States, and their obligation to obey the laws thereof; and they further agree and obligate themselves to obey said laws and all other laws that may be made by Congress for their government, and for the punishment of offenders; and they agree to exert themselves to the utmost of their ability in enforcing all the laws, under the direction of the Superintendent of Indian Affairs, or agent thereof; and they pledge and bind themselves to preserve friendly relations with the citizens of the United States, and to commit no injuries to or depredations upon their persons or property. They also agree to deliver to the proper officer or officers of the United States all offenders against the treaties, laws, or regulations of the United States; and to assist in discovery, pursuing, and capturing all such offenders who may be within the limits of the country claimed by them, whenever required so to do by such officer or officers. And the said Crow Nation or Tribe of Indians agree that they will not make war upon any other tribe or band of Indians, except in self-defense, but will submit all matters of difference between themselves and them to the Government of the United States for adjustment, and will abide thereby. And if any of the said Indians, parties to this treaty, commit depredations upon any other Indians within the jurisdiction of the United States, the same rule shall prevail in regard to compensation and punishment as in cases of depredations against citizens of the United States.

ARTICLE 6. In consideration of the foregoing agreements, stipulation, cessions, and undertakings, and in consideration of their faithful observance by the said Nation or Tribe of Indians, parties to this treaty, the United States agree to expend for the said Crow Nation or Tribe of Indians, in addition to the goods and provisions distributed at the time of the signing of this treaty, the sum of twenty-five thousand dollars annually, for the term of twenty years after the ratification of this treaty by the President and Senate of the United States, to be expended for such useful goods and provisions and other articles as the President, at his discretion, may, from time to time, determine; *provided*, and it is hereby agreed, that the President may annually expend so much of the sum of eight thousand dollars as he shall deem proper, in the purchase of stock, animals, agricultural implements; in establishing and instructing in agricultural pursuits, such of said Indians as shall be disposed thereto; and in the employment of mechanics for them; in educating their children; in providing necessary and proper medicines, medical attendance; care for and support of the aged, infirm, or sick of their number; for the helpless orphans of said Indians, and in any other respect promoting their civilization, comfort, and improvement; *provided*, further, that the President may at his discretion determine in what proportion said annuities shall be divided among the several bands of the tribe.

And the United States agree that out of the sum above stipulated to be paid to the said Crow Nation or Tribe of Indians, there shall be set apart and paid to the head chief of each of said bands the sum of two hundred dollars annually in money or supplies, so long as they and their respective bands remain faithful to their treaty obligations; *provided*, further, that the President may discriminate in the distribution of the aggregate amount of said money or supplies in favor of such chiefs as shall by their fidelity to treaty obligations show themselves worthy of especial favor.

ARTICLE 7. The following named persons, half breeds, of the Crow Nation or Tribe of Indians, shall receive annually for twenty years the sum of fifty dollars, payable in goods or money, at the discretion of the President of the United States, to wit, namely:

Peter Bonperre; Van Courte; David Pease; Fanny Boner; Adaline Murry; Mary Howard; David Nail; Mary Cross; Horse Guard, son of Gordon, and three daughters of Gordon, first names unknown; three daughters of Taleck, first names unknown; three daughters of Joseph Le Moines, first names unknown; Miss Ester Chien.

And in consideration of the friendship and services rendered to the Crow Indians by Pierre Chien, and of their having adopted him as one of their nation, the United States further agree to allow him two hundred dollars annually for the term of the above treaty payments; provided his conduct shall continue to be such as to entitle him to the above consideration.

ARTICLE 8. The United States agree that there shall be an agency and agent for the Crow Indians and such other tribes as may be associated near them, located at or near the mouth of Milk River; and said Crow Indians shall have the right to hold and occupy the country for twenty miles around said location; subject only to the treaty of Fort Benton of November 16th, 1865; also allowing through said reservation right of way, stages, telegraph, &c., &c., as provided in said treaty.

ARTICLE 9. It is understood and agreed by and between the parties to this treaty, that if any of the bands of Crow Indians, parties to this treaty, shall violate any of the stipulations, agreements, or obligations herein contained the United States may withhold for such length of time as the President may determine, any portion or all the annuities agreed to be paid to the Crow Nation or Tribe of Indians under the provision of this treaty.

ARTICLE 10. The annuities of the aforesaid Indians shall not be taken to pay the debts of individuals, but satisfaction for depredations committed by them shall be made by them in such manner as the President of the United States may direct.

This treaty shall be obligatory on the respective bands of Crow Indians, parties hereto, from the date hereof, and upon the United States so soon as the same shall be ratified by the President and Senate of the United States.

ARTICLE 11. Any amendment or modification of this treaty by the Senate of the United States, not materially changing the nature or obligation thereof, shall be considered final and binding on said respective bands, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of the Crow Nation or Tribe of Indians.

In testimony whereof, the commissioners on the part of the United States, and the chiefs and head men of the said Crow Nation or Tribe of Indians, have hereunto set their hands this sixteenth day of July, in the year of our Lord one thousand eight hundred and sixty-six, after the same had been previously read, interpreted, and explained.

NEWTON EDMUNDS. [SEAL]
S. R. CURTIS. [SEAL]
ORRIN GUERNSEY. [SEAL]
HENRY W. REED. [SEAL]
WHITE (his x mark) MOUTH.
ROTTEN (his x mark) TAIL.
THE BOY (his x mark) CHIEFS.
THE BEAR (his x mark) TOOTH.
THE PUTTY (his x mark) BALL.
THE POOR (his x mark) ELK.
THE CRAZY (his x mark) HEAD.

THE WARM (his x mark) ROBE.
THE FLAT (his x mark) BELLY.
THE LONG (his x mark) HORSE.
THE IRON (his x mark) BULL.
ONE WHO GOES (his x mark) TO WAR BY HIMSELF.
THE LITTLE (his x mark) IRON.
THE (his x mark) COAT.
THE MAD (his x mark) WOLF.
THE TWO (his x mark) FACE.
THE (his x mark) HUMP.
THE YELLOW (his x mark) BULL.
THE BULL (his x mark) ON THE MOUNTAIN.
THE LITTLE (his x mark) WOLF.
THE DOG (his x mark) THAT WINKS.
THE (his x mark) SOAP.
THE OLD WHITE (his x mark) THIGH.
THE LITTLE (his x mark) SOLDIER.
BIG BELLIED (his x mark) WOMAN.
THE (his x mark) ONION.
THE OLD (his x mark) MOUNTAIN'S TAIL.

Signed by the commissioners on the part of the United States, and by the chiefs and headmen, after the treaty had been fully read, interpreted, and explained in our purview.

CHAS. A. REED,
Secretary of Commission.
O. E. GUERNSEY,
Assistant Secy.
PIERRE CHIEN (his x mark),
Interpreter.
M. K. ARMSTRONG,
Assistant Secretary.
GEORGE B. WRIGHT,
Indian Agent of Montana.
WILLIAM C. WRIGHT.
CHARLES R. PALMER.

TREATY WITH THE ASSINIBOINES, JULY 18, 1866

July 18, 1866.
Unratified.

Article of Agreement and Convention made and concluded at Fort Union in the Territory of Montana on the eighteenth day of July in the year of Our Lord one thousand eight hundred and sixty six by and between, Newton Edmunds Governor and ex officio Superintendent of Indian Affairs of Dacotah Territory. Major General Samuel R. Curtis, Orrin Guernsey, and Henry W. Reed, Commissioners appointed on the part of the United States, and the chiefs and headmen of the Assiniboine Tribe or bands of Indians, they being duly authorized for said purpose by their respective bands. Witnesseth as follows.

ARTICLE 1ST. Perpetual peace, friendship, and amity shall hereafter exist between the United States and the Assiniboine Tribe of Indians, parties to this Treaty.

ARTICLE 2ND. The said Assiniboine Tribe of Indians do hereby mutually, jointly and severally promise and agree that they will maintain peaceful relations toward the Whites, that they will in the future abstain from all hostilities whatever against each other, and cultivate mutual good will and friendship, not only among themselves, but towards all other Tribes of Indians.

ARTICLE 3RD. We the Chiefs, head men and delegates of the Assiniboine Tribe of Indians being by our respective bands thereunto authorized and directed, do hereby relinquish and transfer all our right and title to the lands South of the Missouri river including especially the country between the Yellow Stone and the Missouri as follows.

Beginning at the junction of said rivers, and thence following the Yellow Stone up to the mouth of Powder river thence in a straight line to the Mouth of Milk river on the Missouri; thence down the Missouri to the junction of the Missouri and Yellow Stone as aforesaid and all the rights and interests of said lands within said boundaries. They also relinquish and transfer to the United States all their right and title to a piece of land on the north side of the Missouri river opposite and adjacent to the land aforesaid, as follows: commencing at the mouth of the little Muddy about twelve miles above Fort Union, and thence running down the Missouri river about seventeen miles below Fort Union, to a point known as the "Round Bute"; thence North twelve miles; thence westerly parallel to the Missouri river, to the aforesaid Little Muddy; thence down the little Muddy to the place of beginning.

ARTICLE 4TH. The aforesaid Tribe also agree to grant and convey to the United States the right to lay out and construct roads, highways and telegraphs through their country and to use their effort to prevent them from annoyance or interruption by Indians of their own, or other Tribes, and they also grant to the United States the privilege of establishing depots and Military Stations at suitable points along said lines or lines hereby conveying all right to such reservations not exceeding ten miles square at each point for survey, settlement and cultivation at the discretion of the United States.

ARTICLE 5TH. No White Person unless in the employ of the United States or duly licensed to trade with Said Indians, or members of the families of Such persons, shall be permitted to reside on or make settlement upon any part of the Assiniboine lands, or portion of Country not included or described herein, nor shall Said Indians sell, alienate or in any manner dispose of any portion thereof except to the United States.

ARTICLE 6TH. The Said Assiniboine Tribe or band of Indians parties to this Treaty hereby acknowledge their dependence on the United States and their obligation to obey the laws thereof, and they further agree and obligate themselves to submit to and obey such laws as may be made by Congress for their Government and for the punishment of offenders and they agree to exert themselves to the utmost of their ability in enforcing all the laws under the direction of the Superintendent of Indian Affairs or agent and they pledge and bind themselves to preserve friendly relations with the citizens of the United States and to commit no injuries to, or depredations upon their persons or property. They also agree to deliver to the proper officer or officers of the United States all offenders against the Treaties, laws, or regulation of the United States, and to assist in discovering, pursuing, and capturing all such offenders, who may be within the limits of country claimed by them, whenever required so to do by the said officer or officers.

And the said Assiniboine Tribe or band of Indians agree that they will not make war upon any other Tribe or band of Indians except in self defence but will Submit all matters of difference between themselves and others, to the government of the United States for adjustment and will abide thereby, and if any of the Said Indians parties to this Treaty commit depredations upon any other Indians within the Jurisdiction of the United States the same rules shall prevail for compensation and punishment as in cases of depredations against citizens of the United States.

ARTICLE 7th. In consideration of the foregoing agreements, stipulations, cessions and undertakings and of the faithful observance by the said Tribe of Assiniboine Indians parties to this Treaty the United States agree to expend for the said Assiniboine Indians in addition to the goods and provisions distributed at the time of signing this Treaty Thirty-thousand Dollars annually, for twenty years after the ratification of this Treaty by the President and Senate of the United States to be expended in such good Provisions and other articles as the President may at his discretion from time to time determine, provided, and it is hereby agreed that the President may annually expend so much of the sums of Ten Thousand Dollar as he shall deem proper in the purchase of Stock, animals, agricultural implements in establishing and instructing in agricultural and mechanical pursuits such of said Indians as shall be disposed thereto and in the employment of mechanics for them in educating their children in providing necessary and proper medicine, medicinal attendance care for, and support for the aged, infirm, and sick of their number and for the helpless orphans of said Indians, and in any other

respect promoting their civilization comfort and improvement provided further, that the President may at his discretion determine in what proportion the said annuities, shall be divided among the several bands and the United States further agree that out of the Sum above stipulated to be paid to the said Assiniboine Indians there shall be set apart and paid to the head chief of each of the Said bands of the Assiniboine Tribe the sum of Two Hundred Dollars annually, in money or supplies so long as they and their bands remain faithful to their Treaty stipulations. Provided Further, that the President may discriminate in the distribution of the aggregate amount of Said money or supplies in favor of such chiefs as shall by their fidelity to Treaty obligations show themselves worthy of especial favor.

ARTICLE 8th. The half Breeds of the bands, parties to this Treaty at the date of its stipulations and those persons citizens of the United States who have previous to Said date intermarried with Indian women of Said Assiniboine Tribe, or band, and who shall continue to maintain domestic relations with them shall not be compelled to remove from the lands so ceded and relinquished, but shall be allowed to remain undisturbed upon the lands herein ceded and relinquished to the United States and the following-named half Breeds shall be allowed within two years of the date above mentioned each to select from said ceded land (not minimal) One Hundred and Sixty acres of land including as far as practicable their present homestead. The boundaries of said lands to be made to conform to the United States Survey, and when the United States Survey shall be extended so as to include said lands so selected, the President of the United States shall issue to the person so selecting the same, a patent for said one Hundred and Sixty acres of land with such restrictions on the powers of alienation as he in his discretion sees fit to impose and until such patents shall be issued there shall be no power of alienation of said lands by any person for whose benefit such selections are herein authorized to be made. The following are the names of the half breeds.

Joseph Lambert and	Two Sisters
Charles Larpenter	Isabella Beckworth
Louisa Larpenter	William Sharp
Elizabeth Larpenter	Baptist S. Heureuy
Isabella Larpenter	Jackson Reiter
Louis Bonapart	Isabella Reiter
Mary Bonapart	Josephine Ramsey
Isabella Paquette	Andoine Theodore
Adaline Bonapart	Joseph Archidale
Petite Gregoir	Anna Archidale
E. T. Denig	Philip Albres
Robert Christy	Johana Bellot
Chardon	Peter Chonquette
Dien Louis Dean	Louis Carpenter
Louis Carrier	Alexander Denig
John Breman	E. T. "
James Beckworth	David D. Mitchell
Julia Beckworth	Mary D. Mitchell
Nancy Chambers	Martha Princila
John Casefel	Perriany
Magerette I. Baptista	Miss Perriany
Baptista Chane	David Rockfort
John Wilson	Miss Clarance George Volk
Miss Wilson	Isaac Leida

ARTICLE 9th. It is understood and agreed by the parties to this Treaty that if any of the bands of Indians, parties hereto, shall violate any of the stipulations, agreements, or obligations herein contained the United States may withhold for such length of time as the President may determine, any portion or all the annuities agreed to be paid to the said Assiniboine Indians under the provisions of this Treaty.

ARTICLE 10th. The annuities of the aforesaid Indians shall not be taken to pay the debts of Individuals but satisfaction for depredations committed by them shall be made by them in such manner as the President may direct.

ARTICLE 11th. This Treaty shall be obligatory on the respective bands of Indians parties hereto from the date hereof and upon the United States as soon as the same shall be ratified by the President and Senate.

ARTICLE 12th. Any amendment or modification of this Treaty by the Senate of the United States not materially changing the nature or obligation thereof shall be considered final and binding upon the said bands represented in council as a party to this Treaty in the same manner as if it had been subsequently presented and agreed to by the chiefs and head men of said respective bands

In testimony whereof the Commissioner on the part of the United States and the chiefs and head men of the said respective bands of the Assiniboine Tribes of Indians have hereunto set their hands this eighteenth day of July in the year of our Lord one thousand eight hundred and sixty-six, after the contents had been previously read, interpreted, and explained to the said chiefs and head men.

NEWTON EDMUNDS [SEAL]
S. R. CURTIS [SEAL]
ORRIN GUERNSEY [SEAL]
HENRY W. REED [SEAL]
THE CUT (his x mark) THUMB
THE RED (his x mark) STONE
JACKSON, SON OF (his x mark) WHITE HEAD
Representing White Head.
THE (his x mark) GOAT
THE SHORT (his x mark) BULL
THE SON WHO TALKS IN (his x mark) WALKING
THE SHORT TAIL (his x mark) BEAR (of the Girls band)
THE (his x mark) FOUR
THE SMILING (his x mark) FACE
THE ONE SETTING ON (his x mark) THE NEST
THE BLUE (his x mark) LEG
THE (his x mark) BADGER
THE WOLF (his x mark) NECKLACE
THE SHORT (his x mark) TAIL BEAR of the Yanktonian

Witnesses—Signed by the Commissioners on the part of the United States and by the chiefs and head men, after the treaty had been fully read, interpreted, and explained in our presence.

CHAS. A. REED, *Secretary of Commission*
O. E. GUERNSEY, *Assistant Clerk*
M. K. ARMSTRONG " *Secy*
CHARLES LASPENTER, *U States Interpreter*
MAHLON WILKINSON, *Agent*
REUBEN S. PIKE.

TREATY WITH THE UINTAH AND YAMPA OR GRAND RIVER BANDS OF UTAH INDIANS, AUGUST 29, 1866.

August 29, 1866.
Unratified.

The President of the United States of America, by Alexander Cummings, Governor of Colorado Territory, and Exofficio Sup[t] Indian Affairs for the same, Hon A. C. Hunt, and D. C. Oakes, U. S. Indian Agent duly authorized and appointed as Commissioners, for the purpose, of the one part, and the undersigned chiefs and warriors of the Uintah and Yampa or Grand River Bands of Utah Indians on the other part, have made and entered into the following Treaty of amity & friendship which, when ratified by the President of the United States by and with the advice and consent of the Senate, shall be binding on both parties, to, wit

ARTICLE 1.

There shall be perpetual peace and friendship between the United States of America and the Uintah and Yampa or Grand River bands of Utah Indians.

It is the purpose of the United States Government, by some of the citizens thereof; to make a road or roads through the lands claimed by the Green River or (Yampa) and Uintah bands of Ute Indians. And in consideration of a present by the United States, of twenty five (25) head of cattle and sundry provisions, blankets clothing and other articles—the receipt of which is hereby acknowledged and the delivery witnessed by James Baker, Interpreter, Hon H. P. Bennett, and Brevet Major Lewis Thompson, U. S. A., the Indians aforesaid agree that they will not interfere with the construction of said roads, nor molest any persons engaged thereon, nor any stations or buildings or settlements which may be made, and will aid in protecting the persons travelling on the roads or employed upon them.

It is agreed by said Indians, in case of any violation of the provisions of this article, by any individual of the aforesaid band, or of any violence by any of them to any United States Citizen or white resident travelling through the lands claimed by them, that the individual guilty of said wrong shall be delivered up to the United States Authorities to be punished by the laws thereof.

The United States guarantees that, for any wrong done upon any of the aforesaid bands, by any citizen or white resident of the United States, the party guilty of the wrong shall be punished by the United States with the same penalties as though the wrong had been committed on a white citizen.

And in further consideration of the foregoing, the United States agrees to furnish to the aforesaid Indians with twenty five (25) horses, with saddles, bridles, and blankets for each complete *on the ratification of this treaty.* And *annually* thereafter blankets and stock either horses, cattle or sheep, to the value of five thousand ($5000) dollars, and provisions to the value of three thousand (3000) dollars, this annuity to continue until some arrangement is made with the tribe for their permanent settlement.

In Testimony Whereof the said Commissioners, as aforesaid, and the said Chiefs and Warriors of the said Bands of Utah Indians have hereunto set their hands and seals at the Hot Sulphur Springs as aforesaid, on this Twenty Ninth day of August, A. D. One Thousand Eight Hundred and Sixty Six.

ALEXANDER CUMMINGS [SEAL]
Gov. C. T. and Sup Ind Affr's and Commissioner

M HUNT [SEAL]
Commissioner

DANIEL C. OAKES [SEAL]
Indian Agent and Commissioner

SA-GA-WICH, or, BUZZARD	his x mark	[SEAL]
JACK, or ONE NAME	his x mark	[SEAL]
PA-END or HIGH	his x mark	[SEAL]
SA-PACH or WHITE	his x mark	[SEAL]
UN-CA-CHEP, RED LODGE POLE	his x mark	[SEAL]
NEVADA or SNOW	his x mark	[SEAL]
SACH-WA-TSCHWHICH, BLUE RIVER,	his x mark	[SEAL]
PA-HA-PITCH, or SWIMMER	his x mark	[SEAL]
YA-HA-ME-NA, PRICKLY PEAR	his x mark	[SEAL]
PAN-QUI-TO, or MINNOW	his x mark	[SEAL]
TA-HA-KEN, WASHINGTON	his x mark	[SEAL]

Witnesses to the Treaty and signatures.

JOEL BEEKER,
HIRAM P. BENNET,
LEWIS THOMPSON
Br. Major, U. S. Army,

Interpreter.
JOEL BEEKER.

TREATY WITH SHOSHONES, BANNACKS, AND SHEEPEATERS, SEPTEMBER 24, 1868

September 24, 1868.
Unratified.

Articles of a treaty made and concluded at Virginia City, Montana Territory, on the twenty-fourth day of September, one thousand eight hundred and sixty-eight, by and between W. J. Cullen, commissioner, and James Tufts, secretary of Montana Territory, and acting governor and superintendent of Indian affairs, on the part of the United States, and the undersigned chiefs and headmen of, and representing, the mixed tribes of Shoshones, Bannacks, and Sheepeaters, they being duly authorized to act in the premises

ARTICLE I

The object of treaties being the strict maintenance of peace between the contracting parties, the faithful observance of each stipulation is absolutely necessary. The United States, acting in good faith, expect the like conduct on the part of the Indians, so that perpetual amity and friendship may be maintained between the parties hereto.

ARTICLE II

The chiefs and headmen representing the Indians aforesaid do most solemnly promise and agree with the parties representing the United States as aforesaid, that they will surrender, and they do hereby surrender to the United States of America, all their right, title, interest, claims, and demands of, in, and to, all lands, tracts, or portions of land, which they may now or have heretofore possessed or occupied within the territory of the United States.

ARTICLE III

The United States sets apart for the use and occupation of Indian tribes, parties hereto, the following described section or portion of country: Two townships of land, commencing at or about a point known as "the Point of Rocks," on the north fork of the Salmon River, about twelve miles above Fort Lemhi. The said townships and tract of land to be located and surveyed by or under the direction of their agent, or the superintendent of Indian affairs, as the Secretary of the Interior may direct.

ARTICLE IV

The aforesaid tribes of Indians, parties to this treaty, agree and consent to remain within their own country, set apart under this treaty, except when visiting other sections of the country for the purposes of trade or social intercourse.

ARTICLE V

It is agreed and understood by and between the parties to this treaty that if any nation or tribe of Indians as aforesaid shall violate any of the agreements, obligations, or stipulations herein contained, the United States may withhold, for such length of time as the President may determine, any portion or all of the annuities agreed to be paid to said tribes under the sixth article of this treaty.

ARTICLE VI

In consideration of the foregoing and following agreements, stipulations, and cessions, and on condition of their faithful observance, the United States agree to expend for the mixed tribe of Shoshones, Bannacks, and Sheepeaters, the sum of thirty thousand dollars for the first year, twenty thousand dollars for the second year, and annually thereafter for eighteen years the sum of twelve thousand dollars, in such useful goods and provisions as the President, at his discretion, may from time to time determine; and the superintendent, or other proper Indian agent, shall each year inform the President of the wishes of the Indians in relation thereto.

ARTICLE VII

The tribes of Indians parties to this treaty desire to exclude from their country the use of ardent spirits or other intoxicating liquors, and to prevent their people from drinking the same: *Therefore it is provided,* That any Indian belonging to the said tribes who is guilty of bringing such liquor into the Indian country, or who drinks liquor, may have his or her proportion of the annuities withheld from him or her for such time as the President may determine.

ARTICLE VIII

And the United States doth further covenant and agree that, in addition to the appropriation heretofore made under article sixth, there shall be made an appropriation of $8,000 for the erection of a saw-mill upon the reservation as aforesaid.

ARTICLE IX

The United States do further agree that an annual appropriation shall be made for the compensation of one farmer, one physician, one blacksmith, one carpenter, one engineer, and one interpreter, who are to reside upon the reservation and to give their exclusive time, care, skill, and energy to the interests of the reservation in their respective departments, and to the instruction of the Indians.

ARTICLE X

The United States doth further covenant, promise, and agree, for and in consideration aforementioned, to appropriate annually the sum of $2,500 for the purpose of maintaining a mission school, to be under the direction of the Superintendent of Indian Affairs.

ARTICLE XI

This treaty shall be obligatory upon the contracting parties as soon as the same shall be ratified by the Senate of the United States.

In testimony whereof, the said W. J. Cullen, commissioner, and James Tufts, acting governor and superintendent of Indian affairs, on the part of the United States, and the undersigned chiefs and headmen of the aforesaid tribes of Indians, parties to this treaty, have hereunto set their hands and seals at the place and on the day and year aforesaid.

W. J. CULLEN, *Commissioner.* [SEAL]
JAMES TUFTS, [SEAL]
Acting Governor, and ex officio Superintendent Indian Affairs.

TIN-DOI, his x mark. [SEAL]
PE-PE-A-MOR, his x mark. [SEAL]
WOI-E-COCRA, his x mark. [SEAL]
MAT-GE-NUP, his x mark. [SEAL]
PAR-GET-E-WAY, his x mark. [SEAL]
OUI-DIN-GOI-YUP, his x mark. [SEAL]
PE-CEW-TSY, his x mark. [SEAL]
ORA-GO-NOI, his x mark. [SEAL]
WAT-SUNG, his x mark. [SEAL]
PE-GE, his x mark. [SEAL]
CUBE-ROA, his x mark. [SEAL]
ARGIN-OWN-NIN, his x mark. [SEAL]

WM. BEALL, *Secretary.*
Witnessed by—
EDWARD GODDARD.
Mr. L. DAEMS, *M'y.*
W. F. SANDERS.
JOHN W. POWELL, *Interpreter.*
H. L. WARREN, *Chief Justice Montana Territory.*
ANSON S. POTTER.
THOS. B. WADE.

EXECUTIVE OFFICE, VIRGINIA CITY, M. T.,
September 25, 1868.

SIR: We, W. J. Cullen, commissioner, and James Tufts, secretary of Montana, and acting governor, and superintendent of Indian affairs, have the honor to make the following report respecting the mixed nation of Shoshone Indians, consisting of the Bannacks and Sheepeaters, and the treaty made and concluded with them near Virginia City, Montana Territory, on the 24th instant. This nation is scattered over a large extent of country westward from the Yellowstone to a mountain between the Bitter Root and Big Hole, running through Montana into Idaho. They are very poor, frequently being in great want both of provisions and clothing, and too weak, as a warlike nation, to contend with the more powerful tribes of Sioux upon the buffalo hunting grounds. They are sparsely supplied with stock, so that their game hunts are confined to very limited boundaries. Many of them depend, in a great measure, for subsistence upon the bounty of citizens in towns, and upon ranches. They are peacefully disposed towards the whites, and very few of them are ever engaged in the larceny or spoliation of the property belonging to the whites. The territory now occupied by the whites in Montana, and over which a land survey district has been extended, is entirely without treaty stipulations for the extinguishment of Indian titles. Many of these people are willing and anxious to work, and only require the encouragement and direction of the United States to cultivate the land and foster habits of thrift and industry, making themselves not only self-supporting but, to a limited extent, contribute to the agricultural development of the country. They are tractable and intelligent, receiving instruction quite readily and with profit. These being the circumstances which surround and govern these people, we have thought it advisable to make a treaty with them. We, therefore, assembled the chiefs and headmen, representing from 500 to 600 of these people, and proposed articles of treaty to them, which were readily and thankfully acceded to and endorsed by them, each provision of the treaty being plainly and fully explained to them.

The annual appropriations required of the Government under this treaty are exceedingly small, not being more than $18,000 or $19,000 after the first and second years, but sufficiently large to be of vast service to these dependent people.

We most earnestly recommend that this treaty be submitted to the United States Senate for ratification.

Very respectfully, your obedient servants,

W. J. CULLEN,
Commissioner.

JAMES TUFTS,
Secretary, Acting Gov'r. and Sup't Indian Affairs, M. T.

Hon. N. G. TAYLOR,
Commissioner Indian Affairs, Washington, D. C.

CHICKASAW TREATY OR CERTIFICATE OF OCTOBER 24, 1801

UNITED STATES DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS
Washington, July 10, 1939.

CHARLES J. KAPPLER, ESQ.,
Attorney at Law, Transportation Building,
Washington, D. C.

MY DEAR MR. KAPPLER:

* * * * * * *

For your consideration in connection with your compilation, attention is invited to the Act of February 25, 1799 (1 Stat. 618), which after providing for certain appropriations mentioned "An agreement made and entered into with the chiefs of the Chickasaw nation, in Philadelphia, on the fifteenth July, one thousand seven hundred and ninety-four, to pay to the said nation goods to the amount of three thousand dollars annually:"

This agreement was mentioned in Volume 1, American State Papers, Indian Affairs, page 816. Without mentioning all the appropriation acts relating to this matter, it may be said that appropriations were made with more or less regularity until 1903. Attention is invited specifically to the Act of March 3, 1835 (4 Stat. 780–788), which contains the following: "To the Chickasaws, for the permanent annuity, as provided for by the Act of the twenty-fifth of February seventeen hundred and ninety-nine, three thousand dollars." (See 2 Kappler, 55.)

In subsequent acts, to and including that for the fiscal year 1901 (Act May 31, 1900, 31 Stat. 221–225), the authority appears to have been based upon the Act of 1799 instead of the Agreement of 1794. The Act of March 3, 1901 (31 Stat. 1058–1062), however, referred to the agreement and authorized and directed the Secretary of the Treasury to credit the Chickasaws on the books of the Treasury with the sum of $60,000 in commutation of the annuities" * * * as guaranteed to them by the treaty of July fifteenth, seventeen hundred and ninety-four." This agreement is referred to as a "certificate" in Article II of the Treaty of October 24, 1801 (7 Stat. 65; 2 Kappler, 55).

A diligent search of the records of this and the State Department, the Library of Congress, and such records as may be in Philadelphia, made in 1935, did not reveal this certificate, agreement, treaty, or whatever it was.

The above information is given for your consideration should you desire to refer to or comment upon the above Chickasaw matters in your compilation.

Sincerely yours,

J. M. Stewart,
Director of Lands.

PART V

IMPORTANT COURT DECISIONS ON INDIAN TRIBAL RIGHTS AND PROPERTY [5]

SUPREME COURT OF THE UNITED STATES

No. 2—October Term, 1934

The United States, Petitioner, *vs.* The Creek Nation

On Writ of Certiorari to the Court of Claims

[Decided April 29, 1935—295 U. S. 103]

Mr. Justice Van Devanter delivered the opinion of the Court.

This is a suit by the Creek Nation or Tribe of Indians against the United States to recover compensation for certain lands of that tribe charged to have been appropriated by the United States. The tribe obtained a judgment and we granted a petition by the United States for certiorari. The suit was brought in 1926 under the act of May 24, 1924, c. 181, 43 Stat. 139, which declares:

"That jurisdiction be, and is hereby, conferred upon the Court of Claims, notwithstanding the lapse of time or statutes of limitation, to hear, examine, and adjudicate and render judgment in any and all legal and equitable claims arising under or growing out of any treaty or agreement between the United States and the Creek Indian Nation or Tribe, or arising under or growing out of any Act of Congress in relation to Indian affairs, which said Creek Nation, or Tribe may have against the United States, which claims have not heretofore been determined and adjudicated on their merits by the Court of Claims or the Supreme Court of the United States."

In the course of the suit the United States set up certain cross-demands and recovered judgment thereon; but the judgment on the tribe's claim is all that is challenged now.

The principal facts relating to that claim were conceded below, as shown by the court's opinion and findings, and stand unquestioned here.

Under a treaty of 1833 [1] the United States granted to the Creek Tribe, by a patent conveying a fee simple, a large tract of land in Indian Territory, now Oklahoma. By a treaty of 1866 [2] the Creeks ceded to the United States the westerly half of that tract, but expressly retained the easterly half; and the United States stipulated it would cause a north and south line separating the ceded from the unceded lands to be surveyed under the direction of the Commissioner of Indian Affairs, and guaranteed to the Creeks quiet possession of their unceded lands.

In 1871 one Bardwell, acting under the direction of the Commissioner of Indian Affairs, surveyed the divisional line. A controversy soon arose as to whether the line was surveyed too far to the east, and thereby encroached on unceded lands of the Creeks; but that controversy, if not terminated before, was put to rest and the line effectively recognized by an agreement made between the Creek Tribe and the United States in 1889,[3] wherein the tribe's ownership of the lands east of that line was expressly recognized.

In 1867 [4] the United States entered into a treaty with the Sac and Fox Indians under which it assigned to them a tract of land within the area ceded by the Creeks and immediately west of the area retained by them.

[1] Treaty of February 14, 1833, Arts. 2 and 3, 7 Stat. 417.
[2] Treaty of June 14, 1866, Arts 3 and 8, 14 Stat. 785, 786, 788.
[3] Act March 1, 1889, c. 317, 25 Stat. 757, 758.
[4] Treaty of February 18, 1867, Art. 6, 15 Stat. 495, 496.
[5] Covering subjects of Value; Just Compensation including interest; Ownership of natural resources on treaty reservations; Interpretation of treaties; Validity of unproclaimed Fort Laramie Treaty of 1851; Creation of Indian reservations; Jurisdiction over New York Indians; Indian rights under foreign treaties; Powers of Indian Tribes; Nature of Set-offs and gratuities allowed against Indian claims, etc.

In 1872 one Darling, a surveyor acting for the government, surveyed the Sac and Fox tract and erroneously extended his lines and closing corners eastward into the unceded Creek lands in disregard of the Bardwell dividing line. Darling's survey was approved by the Commissioner of the General Land Office in 1873; and as a result of this survey and its approval a strip of Creek lands between the Bardwell line and Darling's easterly closing corners, aggregating 5,575.57 acres, was erroneously included within the Sac and Fox tract as officially surveyed and platted, and thereafter was occupied by the Sac and Fox. In 1875 one Hackbusch, a government surveyor, subdivided the sections in the Sac and Fox lands into 40 acre tracts and followed Darling's lines into the unceded Creek lands, thereby perpetuating Darling's error. Hackbusch's survey, like that of Darling, was approved by the Commissioner of the General Land Office.

By an agreement ratified in the act of February 13, 1891,[5] the Sac and Fox ceded to the United States the tract assigned to them under the treaty of 1867. In the agreement the United States stipulated it would make allotments in severalty to the Sac and Fox Indians out of lands within their cession; and the ratifying act required that these allotments be made and that the remaining lands be opened to settlement as public lands and sold to settlers at a stated price per acre, which was to be turned into the treasury as public money.

In carrying that act into effect the Indian and land bureaus of the United States erroneously treated the strip of unceded Creek lands between Bardwell's line on the west and Darling's closing corners on the east as part of the Sac and Fox cession, and accordingly allotted and patented part of the strip to Sac and Fox Indians, by way of fulfilling the government's obligation to them; sold and patented other lands therein to settlers; and turned the purchase price received from such sales into the treasury as public money. These disposals included nearly all of the 5,575.57 acres in the strip, and the grantees have since been holding the same adversely to the Creek tribe.

In the court below, as its opinion shows, the parties were agreed that the lands in the strip were unceded Creek lands; and that as to such of them as were disposed of under the act of 1891 the Creek tribe is "entitled to compensation." But the parties were not agreed respecting the time as of which the value should be ascertained. The tribe contended for the value in 1926, when the suit was brought; while the government stood for the value at the time of the appropriation, which it insisted was in 1873, when Darling's erroneous survey was approved by the Commissioner of the General Land Office, or, in the alternative, at the time the lands were disposed of under the act of 1891.

The court below held the tribe entitled to the value of the lands, ruled the value at the time of suit should be allowed, found the value at that time was $30 an acre, and gave judgment accordingly. There was no finding of the value at either of the times named in the government's contention; but it is inferable from the record that the value was less at those times than when the suit was begun.

1. Counsel for the government, assuming that the present claim is merely for damages arising out of errors on the part of administrative officers, contend that it does not come within the terms of the jurisdictional act—"any and all legal and equitable claims arising under or growing out of any treaty or agreement between the United States and the Creek Indian Nation or Tribe, or arising under or growing out of any Act of Congress in relation to Indian affairs, which said Creek Nation or Tribe may have against the United States." We think the contention is not tenable.

Counsel's assumption ignores several elements of the claim, such as the treaties of 1833 and 1866 and the acts of Congress of 1889 and 1891. It also neglects matters reflecting a confirmation of the acts of the administrative officers, such as the receipt by the United States of direct and material benefits from their acts and its retention of the benefits with knowledge of all the facts.

While the jurisdictional act is couched in general terms, there can be little doubt when it is read in the light of the circumstances leading to its passage that it is intended to include the present claim. The congressional committees on whose recommendation the act was passed were in possession of all data bearing on the claim. The facts had

[5] C. 165, 26 Stat. 749, 750.

been laid before them in letters from the Secretary of the Interior, the Commissioner of Indian Affairs and the Commissioner of the General Land Office.[6] In the letters these officers, besides reciting the facts in detail, expressed their own conclusions in the matter, which were to the effect that the settlers and allottees had acquired and improved the lands in good faith, and therefore deserved consideration; that the Creek tribe was "entitled to compensation" for the lands "lost" by it through what had been done; that the unfortunate situation "grew out of errors of representatives of the government," which made it reasonable to expect the government to bear the expense of an adjustment; and that there was need for legislation under which the matter could be examined and brought to an equitable and final solution. In view of this portrayal of the matter by the officers specially charged with the administration of Indian and public-land affairs, and the subsequent action of the committees in effecting the passage of the jurisdictional act, we regard it as reasonably manifest that the act is intended to provide for the adjudication of the present claim. The concessions made in the court below by those who were there representing the government show rather plainly that they so understood the act.

2. A question is raised as to whether there was an appropriation or taking of the lands by the United States.

The Creek tribe had a fee simple title, not the usual Indian right of occupancy with the fee in the United States. That title was acquired and held under treaties, in one of which the United States guaranteed to the tribe quiet possession. The tribe was a dependent Indian community under the guardianship of the United States, and therefore its property and affairs were subject to the control and management of that government. But this power to control and manage was not absolute. While extending to all appropriate measures for protecting and advancing the tribe, it was subject to limitations inhering in such a guardianship and to pertinent constitutional restrictions. It did not enable the United States to give the tribal lands to others, or to appropriate them to its own purposes, without rendering, or assuming an obligation to render, just compensation for them; for that "would not be an exercise of guardianship, but an act of confiscation." *Lane* v. *Pueblo of Santa Rosa*, 249 U. S. 110, 113; *Cherokee Nation* v. *Hitchcock*, 187 U. S. 294, 307–308.

Such was the situation when the lands in question were disposed of under the act of 1891. The disposals were made on behalf of the United States by officers to whom it had committed the administration of that act, and were consummated by the issue of patents signed by the President.

True, the tribe, if free and prepared to proceed in its own behalf, might have successfully assailed the disposals; but it was not in a position where it could be expected to assume that burden. It was in a state of tutelage and entitled to rely on the United States, its guardian, for needed protection of its interests. Plainly the United States would have been entitled to a cancellation of the disposals had it instituted suits for that purpose.[7] But, although having full knowledge of the facts, it made no effort in that direction. On the contrary, it permitted the disposals to stand—not improbably because of the unhappy situation in which the other course would leave the allottees and settlers. In this way the United States in effect confirmed the disposals; and it emphasized the confirmation by retaining, with such full knowledge, all the benefits it has received from them.

We conclude that the lands were appropriated by the United States in circumstances which involved an implied undertaking by it to make just compensation to the tribe.[8]

3. Plainly the appropriation was not in 1873, when Darling's survey was approved by the Commissioner of the General Land Office. That survey did not effect any change in the existing ownership; nor was it intended to do so. The most that can be said of it is that it was done erroneously and, in the absence of correction, might lead to further error.

But not so of the disposals under the act of 1891. They were intended from their inception to effect a change of ownership and were consummated by the issue of

[6] Senate Report No. 2561, p. 54, 59th Cong., 1st Sess. and papers named in letter of Secretary of the Interior.
[7] United States *v.* Minnesota, 270 U. S. 181, 194–196, and cases cited.
[8] United States *v.* Lynah, 188 U. S. 445, 465; United States *v.* North American Company, 253 U. S. 330, 333; Phelps *v.* United States, 274 U. S. 341, 343. And see United States *v.* State Bank, 96 U. S. 30, 36.

patents, the most accredited type of conveyance known to our law. True, they rested on an erroneous application of the act of 1891 to the Creek lands in the strip; but, as that application was confirmed by the United States, the matter stands as if the act had distinctly directed the disposals. It was through them that the lands were taken; so the compensation should be based on the value at that time, and not, as ruled below, on the value when the suit was begun.

But the just compensation to be awarded now should not be confined to the value of the lands at the time of the taking but should include such addition thereto as may be required to produce the present full equivalent of that value paid contemporaneously with the taking.[9] Interest at a reasonable rate is a suitable measure by which to ascertain the amount to be added.[10] The treaty of 1866, the act of 1889 and other statutes show that five per cent per annum is a reasonable rate as between the parties here.[11]

It follows that the judgment must be reversed, with directions for such further proceedings as may be necessary to bring the award of compensation into conformity with this opinion.

Judgment reversed.

SUPREME COURT OF THE UNITED STATES

Nos. 216 and 328.—October Term, 1936

Shoshone Tribe of Indians of the Wind River Reservation in Wyoming, Petitioner, *vs.* The United States

The United States, Petitioner, *vs.* Shoshone Tribe of Indians of the Wind River Reservation in Wyoming

On Writs of Certiorari to the Court of Claims

[January 4, 1937]

[299 U. S., 476—81 Law Edi. 360]

SYLLABUS

Damages, §116—invasion of Indians' right of exclusive occupancy of reservation—date of enactment of statute conferring jurisdiction in matter upon Court of Claims as fixing time as of which value of property is to be determined.

1. The value of lands of which an Indian tribe has been deprived by the act of the United States in permitting another tribe to encroach upon its reservation, in violation of the terms of a treaty by which the United States agreed that the tribe should have exclusive occupancy of the reservation, is not to be determined as of the date of an enactment permitting the tribe to submit its claim to adjudication in the Court of Claims, on the theory that the jurisdictional act has turned an unlawful trespass into a taking by the exercise of the power of eminent domain.

Eminent Domain, §46½—when power deemed exercised—effect of statute providing for adjudication of Indians' claim of violation of treaty rights by wrongful appropriation of reservation lands.

2. A statute conferring upon the Court of Claims jurisdiction to determine the claim of an Indian tribe against the United States arising under or growing out of a certain treaty whereby the tribe was guaranteed exclusive occupancy of a reservation, which right the United States is charged with having infringed by permitting another tribe jointly to occupy the reservation, and providing that the decree rendered by the Court of Claims shall be in full settlement of all damages, if any, committed by the United States and shall annul and cancel all claim, right, and title of the tribe in and to such lands, is not an exercise of the power of eminent domain, so as to require the value of the lands to be ascertained as of the date of its enactment, since the statute makes no admission of liability, or of any ground of liability, but merely provides a forum for the adjudication of the claims,—particularly where the legislative history of the statute makes it evident that the intention of Congress was to provide for reparation for an alleged unlawful appropriation effected in the past and not to make a new and lawful appropriation by an exercise of sovereign power.

Damages, 116—invasion of Indians' right of exclusive occupancy of reservation—time as of which value of land is to be ascertained.

3. The value of lands of which an Indian tribe has been deprived by the act of the United States in permitting another tribe to encroach upon its reservation, in violation of the terms of a treaty by

[9] Jacobs *v.* United States, 290 U. S. 13, and cases cited.
[10] United States *v.* Rogers, 255 U. S. 163, 169; Seaboard Air Line Ry. *v.* United States, 261 U. S. 299, 304-306.
[11] Creek Treaty of 1866, Art. 3, 14 Stat. 785, 787; Act of March 1, 1889, c. 317, 25 Stat. 757, 758, 759; U. S. C. Title 25, § 158.

which the United States agreed that it should have the exclusive occupancy, is not to be determined as of the date at which the Commissioner of Indian Affairs made a public statement of his opinion that the intruding Indians had equal rights in the reservation, but should be determined as of the time when the occupancy of the intruders began, where the United States, by action and inaction, has for half a century treated the intruders' occupancy as lawful.

Indians, 34—reservation lands—relative title of Indians and government.

4. Title to land in the Wind River Reservation is in the United States, though the Shoshone Tribe has a treaty right of exclusive occupancy with all its beneficial incidents.

Interest, #15—as element of damages recoverable against the United States by Indian Tribe for intrusion upon its exclusive reservation.

5. Damages recoverable by an Indian tribe against the United States for violation of treaty provisions that its right of occupancy of its reservation shall be exclusive includes such additional amount beyond the value of its property rights as of the time of intrusion with the acquiescence of the United States upon such right of exclusive occupancy, as may be necessary to the award of just compensation, the increment to be measured either by interest on the value or by such other standard as may be suitable in the light of all the circumstances; and it is unimportant that there was a partial taking only, or that the taking was tortious in its origin, where it has been made lawful by relation.

Interest 32—allowance against the United States in Court of Claims—failure of jurisdictional act to provide for such allowance.

6. The fact that an act of Congress conferring on the Court of Claims jurisdiction to adjudicate a claim of an Indian tribe against the United States for permitting, in violation of treaty rights, another tribe of Indians jointly to occupy its reservation, is silent as to an award of interest on the value of the property rights of which the tribe has been deprived, or any substitute for interest, does not preclude the allowance of interest or a fair equivalent.

Claims 26—against United States under treaty with Indians—invasion of right to exclusive occupancy of reservation.

7. An Indian tribe is entitled to recover damages from the United States for interference with a treaty right of exclusive occupancy of a reservation, though title to the reservation lands is in the United States.

Argued December 17 and 18, 1936. Decided January 4, 1937.

ON CROSS WRITS of Certiorari to the Court of Claims of the United States to review a judgment in favor of plaintiff on a claim of the Shoshone Tribe of Indians against the United States for damages for breach of treaty stipulations. Reversed and remanded.

See same case below, 82 Ct. Cl. 23.

Messrs. George M. Tunison and Albert W. Jefferis, both of Omaha, Nebraska, argued the cause, and, with Mr. Francis S. Howell, also of Omaha, Nebraska, and Mr. Charles J. Kappler, of Washington, D. C., filed a brief for the Shoshone Tribe of Indians.

Assistant Attorney General Harry W. Blair, of Washington, D. C., argued the cause, and, with Solicitor General Reed, Special Assistant to the Attorney General Frank Chambers, and Messrs. George T. Stormont, Charles H. Small, W. Marvin Smith, and Ralph S. Boyd, all of Washington, D. C., filed a brief for the United States.

Mr. Justice CARDOZO delivered the opinion of the Court.

The Shoshone Tribe of Indians of the Wind River Reservation in Wyoming has sued the United States in the Court of Claims for the breach of treaty stipulations, whereby the tribe has been permanently excluded from the possession and enjoyment of an undivided half interest in the tribal lands. Jurisdiction to hear the claim was conferred upon the Court of Claims by an act of March 3, 1927 (44 Stat. 1349, Part II), which, so far as its provisions are now material, is quoted in the margin.[1] The court gave judgment for the claimant. 82 Ct. Cls., 23. Neither party to the controversy was satisfied with the award of damages, the claimant finding it too low, and the Government too high. There were cross-petitions for certiorari. To fix with certainty and justice the rights and duties of the Government in its relations with an Indian tribe, the writs were allowed, and the case is here accordingly.

By treaty of July 3, 1868 (15 Stat. 673), the Shoshone Tribe of Indians relinquished to the United States a reservation of 44,672,000 acres in Colorado, Utah, Idaho and

[1] Section 1 provides that jurisdiction is "conferred upon the Court of Claims, with right of appeal to the Supreme Court of the United States by either party, notwithstanding the lapse of time or statutes of limitation, to hear, examine, adjudicate, and render judgment in any and all legal and equitable claims which the Shoshone Tribe of Indians of the Wind River Reservation in the State of Wyoming may have against the United States arising under or growing out of the treaty of July 3, 1868 (Fifteenth Statutes, page 673), or arising under or growing out of any subsequent treaty or agreement between said Shoshone Tribe of Indians and the United States or any subsequent Act of Congress affecting said tribe, which claims have not heretofore been determined and adjudicated upon their merits by the Court of Claims or the Supreme Court of the United States."

Section 3 provides: "In said suit the court shall also hear, examine, and adjudicate any claims which the United States may have against said tribe, but any payment, including gratuities which the United States may have made to said tribe, shall not operate as an estoppel, but may be pleaded as an offset in such suit: *Provided, however*, that the United States may interpose to such suit or action any and all pleas of defense, affirmative and negative, legal and equitable, which it may have thereto not herein specifically barred by the provisions of this Act. In reference to all claims which may be the subject matter of the suits herein authorized, the decree of the court shall be in full settlement of all damages, if any, committed by the Government of the United States and shall annul and cancel all claim, right, and title of the said Shoshone Indians in and to such money, lands, or other property."

Wyoming, and accepted in exchange a reservation of 3,054,182 acres in Wyoming, with other benefits not now important. The United States agreed that the territory described in the treaty now generally known as the Wind River Reservation, would be "set apart for the absolute and undisturbed use and occupation of the Shoshone Indians . . . and for such other friendly tribes or individual Indians as from time to time they may be willing, with the consent of the United States, to admit amongst them." Reinforcing this covenant, there was a solemn pledge of faith by the United States that no persons, except a few specially enumerated, and governmental agents engaged in the discharge of duties enjoined by law, should "ever be permitted to pass over, settle upon, or reside" in the territory so reserved. The loyalty of the Shoshone tribe to the people of the United States has been conspicuous and unfaltering. A fidelity at least as constant and inflexible was owing in return.

In 1869, a band of the Northern Arapahoes, separating from the main body of the nation, was wandering about the country, looking for a home. The Arapahoes had been allies of the Sioux, who were the foes of the Shoshones. None the less, the wanderers expressed a wish to have a refuge and a settlement on the Wind River Reservation. They came upon the Reservation in 1870, and were informed by Washakie, Chief of the Shoshones, that they would be permitted to stay there for a short time while the Government was seeking to place them elsewhere. After a few months they moved away. The Government had no success, however, in providing them with a satisfactory home, and they continued to cast longing eyes toward the fair and fertile acres set apart for their ancestral foes. At the instance of the Commissioner of Indian Affairs, acting in cooperation with the Secretary of the Interior, a new attempt was made in October, 1877, to bring the tribes together and relieve the growing tension developing between them. One Irwin, formerly the Indian agent on the Wind River Reservation, discussed the problem with Washakie. He said that the President had no intention of placing the Arapahoes on the Shoshone Reservation, but that the desire was merely to insure peace between the tribes and to find a place for the Arapahoes nearby, on a separate tract of land close to the eastern boundary. Washakie agreed that there should be peace, but insisted that the traditional enemies of his tribe be placed at a safe distance, predicting that close contact would bring friction and fresh hostility.

Irwin telegraphed the Commissioner of Indian Affairs at Washington on October 17, 1877: "I returned from Shoshone Agency today. Held a council and made peace between Shoshones and Arapahoes." A written report, dated February 21, 1878, gave the details of the council. Even so, the telegram, it seems, had been misunderstood by the Commissioner, for in his annual report for 1877 (dated November 1, 1877), he said (p. 19): "In a formal council held last month by Agent Irwin with the Shoshones, their consent to the arrangement desired by the Arapahoes was obtained, and the removal of the latter is now in progress." Ignoring many warnings in February and later that consent had been refused, the Commissioner adhered to his erroneous assumption. The consequences of his error are visible in the events that followed.

On March 18, 1878, a band of Northern Arapahoes was brought to the Reservation of the Shoshones under military escort. The Reservation had been reduced to 2,343,000 acres by the cession of 700,642 acres in 1874 for a money consideration. The Shoshones believed that for hunting and for husbandry it was not in excess of present needs. The unheralded arrival of the Arapahoes was the cause of much excitement. There was a council the next day, at which the leader of the Arapahoes explained to Washakie that they and their horses were weary and without food, and in need of rest and care. Thereupon Washakie agreed that they might remain for a short time to rest their horses and themselves. But the Indian Commissioner, it seems, had not brought them to the reservation for any temporary visit. On April 2, 1878, he telegraphed the agent at the Reservation to furnish the Arapahoes with the necessary food and supplies, and directed him to "report fully by mail what other measures are necessary to locate the Band of Northern Arapahoe Indians under Black Coal", their leader. The agent responded that the Shoshones looked upon the presence of the Arapahoes as "an encroachment on their rights." At the request of both tribes, he urged the calling of a council to be attended by the Department Commander, General Crook, in order that the location of the Arapahoes might be permanently settled. No reply to this request came from the Commissioner or from any one else.

The famished Arapahoes and their horses had been fed and cared for, but they did not move away. Instead of moving away, they came in increasing numbers. As early as April 8, 1878, nearly the whole tribe was on the scene. Washakie protested to the agent. The agent at frequent intervals communicated the protests to the Commissioner. There was nothing in return but silence. Months lengthened into years, and the signs accumulated steadily that the Arapahoes were there to say. Schools were established for their benefit to the end that their youth might be adequately trained. Report of Commissioner of Indian Affairs, 1879, p. 169. Ditches were dug for the irrigation of their ranches. Report of Commissioner of Indian Affairs, 1889, p. 308. In numberless other ways their equality of right and privilege became a postulate of daily life. At length, in August, 1891, the flame of controversy blazed forth anew. The "Woodruff Commission" had been sent to the Reservation to treat with the Indians for a cession of a portion of their lands. The Shoshones took the ground that the Arapahoes should not be suffered to take part in the council and vote upon the projects. The Commission telegraphed the Commissioner of Indian Affairs asking for instructions. In reply, August 13, 1891, the Commissioner notified the Commission: "This office holds * * * that the Arapahoes have equal rights to the land on the said reservation which does not depend upon the further consent of the Shoshones, and you should conduct your negotiations with them upon that basis and with that understanding." Accordingly, both tribes participated in the council, though a cession was not effected.

The Commissioner continued to act on the assumption that the occupancy of the Arapahoes, initiated, as we have seen, under military escort, was permanent and rightful. What is more to the point, Congress did the same. Thus, in 1897, the Government by its agent concluded an agreement with the Shoshones and Arapahoes whereby the Indians ceded to the Government part of the Shoshones Reservation (55,040 acres) for $60,000, to be expended without discrimination among the members of the tribes. In preliminary conferences the Shoshones protested that they alone should receive the stipulated payments. Their protest was overruled, though they succeeded in adding a proviso that nothing in the agreement was to be construed to deprive them of their annuities or benefits under any existing agreements or treaty stipulations. This agreement with its clear recognition of the occupancy of the Arapahoes and their equal interest in the land, was ratified by act of Congress. Act of June 7, 1897, c. 3, 30 Stat. 62, 93, 94. Again, on April 21, 1904, the Government made an agreement with the two tribes for the cession of a large tract (1,480,000 acres), leaving only 808,500 acres in the diminished reservation. Again the Shoshones protested that the Arapahoes were intruders, and refused to sign without a proviso similar to the one in the agreement of 1897.[2] Again the Government dealt with the two tribes as lawful occupants and equals. This agreement like the earlier one was ratified by act of Congress. Act of March 3, 1905, c. 1452, 33 Stat. 1016. It provides *inter alia* that "any individual Indian, a member of the Shoshone or Arapahoe tribes, who has, under existing laws or treaty stipulations, selected a tract of land within the portion of said reservation hereby ceded, shall be entitled to have the same allotted and confirmed to him or her, and any Indian who has made or received an allotment of land within the ceded territory shall have the right to surrender such allotment and select other lands within the diminished reserve in lieu thereof at any time before the lands hereby ceded shall be open for entry." There is a finding that 245,058 acres were allotted to Shoshone and Arapahoe Indians between 1907 and 1919 under the power thus conferred. Many other provisions of the agreement and the statute are almost equally explicit and significant in their recognition of the *status quo*. Nowhere is there a suggestion that the occupancy of the newcomers is impermanent or provisional.

The Arapahoes held their ground, pushing the Shoshones farther to the west, and retaining for themselves the eastern section of the Reservation, found by the Court of Claims to be the most eligible portion. At all times the population of each of the two tribes has been approximately equal. There continued to come forth from the Shoshones intermittent protests, which at last reached the halls of Congress, and in 1927 had a long delayed fruition. In that year the Committee on Indian Affairs of the House

[2] "Article X. It is further understood that nothing in this agreement shall be construed to deprive the said Indians of the Shoshone or Wind River Reservation, Wyoming, of any benefits to which they are entitled under existing treaties or agreements, not inconsistent with the provisions of this agreement."

of Representatives reported a bill to make atonement for the wrongs that for nearly half a century had been left without redress. House Report No. 1628, 69th Congress, 2nd Session, Congressional Record, vol. 68, part 1, p. 625. Extracts from that report are printed in the margin.[3] The bill so proposed was passed, but was vetoed by the President, chiefly for the reason that it made provision for the payment of interest at five per cent per annum on the value of any property appropriated in violation of the treaty or wrongfully disposed of. Congressional Record, vol. 68, part 3, page 2414, 69th Congress, 2nd session. On February 4, 1927, the Senate Committee on Indian Affairs reported a new bill, with the statement that it had been redrafted to correct the objection of the President and that it was identical with the earlier bill except for the interest provision, though in truth other verbal changes had been made in the process of revision. Senate Report No. 1389, Congressional Record, vol. 68, part 3, p. 2921. The bill so revised became Chapter 302 of the Laws of 1927, the jurisdictional act under which the present suit has been maintained.

Upon these facts the Court of Claims decided that the occupancy of the Arapahoes became definitive and permanent on August 13, 1891, when the Commissioner of Indian Affairs made public statement of his opinion that they were entitled to enjoy the Reservation equally with the Shoshones. The value at that time of an undivided half interest in the land was found to be $2,050,597.50. The value of the use and occupation between March 18, 1878 and August 13, 1891, was fixed at $332,475. The sum of these values, along with a few minor items, was $2,483,467.99, from which there was a deduction of $1,689,646.50, for offsets owing to the Government, and not in controversy here. The balance, $793,821.49 is the amount of the judgment now before us for review. As already stated, neither the claiment nor the Government is content with the decision. Both agree that there was error in fixing the value of the land as of August 13, 1891. The claimant insists that it should be reckoned as of March 3, 1927, the date of the jurisdictional act, and that compensation should be added for the value of the intermediate use and occupation. The Government insists that the value should be reckoned as of March 18, 1878, when the unlawful occupancy began. The claimant makes the additional point that, irrespective of the date at which the value is computed, interest must be awarded up to the date of the judgment on the recovery allowed.

First: The Court of Claims did not err in refusing to fix the damages on the basis of the value of the land on March 3, 1927.

The claimant takes the ground that the jurisdictional act is an exercise of the power of eminent domain. The argument is that by force of its provisions a trespass which had been unlawful, though continuous, since March 18, 1878, was turned as of March, 1927, into a definitive and lawful taking. But this is to mistake utterly the design and meaning of the statute. The jurisdictional act is not a taking of anything. It "makes no admission of liability, or of any ground of liability, on the part of the Government, but merely provides a forum for the adjudication of the claim according to applicable legal principles." *United States* v. *Mille Lac Band of Chippewa Indians*, 229 U. S. 498, 500. No cause of action can be vindicated thereunder unless such a cause of action as, apart from the impediment of governmental immunity from suit, was already in existence. Under the jurisdictional act the court is to inquire whether the violation of the treaty of 1868 or of some later treaty or agreement or some later act of Congress has given rise to legal or equitable grounds of liability. True, the decree when it is made "shall be in full settlement of all damages, if any, committed by the Government of the United States and shall annul and cancel all claim, right, and title of the Shoshone Indians in and to such money, lands, or other property." But the claimant is not subject to a duty either under that act or any other to sue the Government at all. In the event of a failure to sue or to prosecute the suit to a decree, rights and liabilities will remain as they were before any act was passed. The sovereign power is not exercised

[3] "Despite the fact that the United States expressly guaranteed to these Indians the uninterrupted use and occupancy of the reservation, and against the protests of the Shoshones of said Wind River Reservation in Wyoming, and the northern band of the Arapahoes, under military escort, were moved upon said reservation in the winter of 1877–78.

"In order to disarm the Shoshones they were assured by the military authorities that the Arapahoes would be removed from the reservation the following year. Since then the Shoshones have frequently protested against the alleged unlawful appropriation of their reservation but have received no relief from the Government. On the contrary, the Government has allowed the Arapahoes upon the reservation and treated the funds claimed by the Shoshones as though they were the joint property of both tribes.

"The purpose of the bill is to permit the Shoshones to submit their claims for alleged appropriation of property to the Court of Claims, and your committee feels that in view of the strong showing made the bill should be enacted at an early date."

to extinguish titles or other interests against the will of tribal occupants by force of eminent domain.

If this conclusion might otherwise be doubtful (which we do not suggest), the doubt would be dispelled by a consideration of the history of the statute. The reports of the Committees of Congress preceding the two bills—the one vetoed by the President and the one enacted into law—make it plain that the purpose was to give reparation to the claimant for an "alleged unlawful appropriation" effected in the past, not to make a new and lawful appropriation by an exercise of sovereign power. So the message of the President vetoing the first bill which permitted an award of interest, adds this comment to a sketch of the grievance of the tribe: "It seems to me unreasonable to expect that the Government should be charged with interest from the dates of origin of such ancient claims." Congress had no thought in its revision of the rejected bill to prescribe present expropriation in lieu of present reparation. As pointed out already, the bill redrafted was understood to be identical with the first one except that the interest provision had been dropped to meet the President's objection.

Second: The Court of Claims erred in holding that damages should be measured as of August 13, 1891, the date of the letter from the Commissioner of Indian Affairs to the Woodruff Commission, and in failing to measure them as of 1878, the date of the unlawful entry.

The treaty of 1868 charged the Government with a duty to see to it that strangers should never be permitted without the consent of the Shoshones to settle upon or reside in the Wind River Reservation. That duty was not fulfilled. Instead, the Arapahoes were brought upon the Reservation with a show of military power, and kept there in defiance of the duty to expel them. The decision below is based upon the theory that the letter of August 13, 1891, is the earliest overt act evincing a definitive purpose to make the occupancy permanent. But the Commissioner of Indian Affairs was not empowered to fix the future policy of the Government, still less to exercise in its behalf the power of eminent domain. He made no such attempt. All that his letter of August, 1891, expresses is an opinion as to the meaning and operation of notorious and accomplished facts. By deed as well as by word, he had done his part for more than thirteen years in shaping those facts to conform to his opinion. He had made report to the Secretary of the Interior in November, 1877, that the transfer of the Arapahoes to the Wind River Reservation was a movement then in progress. He had notified the local agent in April, 1878, to indicate any other measures necessary to settle the intruders. He had turned a deaf ear to many a remonstrance by the tribe whose possession had been violated. In so far as his own opinion and intention were facts of any moment, he had manifested them too often and too plainly, by conduct and by speech alike, to leave his attitude in doubt. Little wonder that counsel for the claimant are at one with counsel for the Government in rejecting August, 1891, as the date when occupancy became more than a temporary trespass.

If the date adopted by the Court of Claims is not accepted as the true one, the question is before us, what other shall be substituted? Looking at events in retrospect through the long vista of the years we can see that from the outset the occupancy of the Reservation was intended to be permanent; that, however tortious in its origin, it has been permanent in fact; and that the Government of the United States through the action and inaction of its executive and legislative departments for half a century of time, has ratified the wrong, adopting the *de facto* appropriation by relation as of the date of its beginning. To see the facts in true perspective we must view them in their totality and not in isolation. There are the reports at the beginning as to the purpose of the settlement; the words and the silence of administrative officers when entreated to banish the intruders; the creation of schools for the education of their youth as for that of the youth already there (Report of Commissioner of Indian Affairs, 1879, p. 169); and most important of all, the statutes already summarized, recognizing the Arapahoes equally with the Shoshones as occupants of the land, accepting their deeds of cession, assigning to the tribes equally the privilege of new allotments, and devoting to the two equally the award of future benefits. What meaning can be ascribed to all these cumulative tokens of intention unless it be that the intruders have been confirmed in their occupancy as of the date of the intrusion? Cf. *United States* v. *Creek Nation*,

295 U. S. 103, 110. The Shoshones might protest, as they did, that in setting their hands to the agreement, they did not assent to the violation of treaty stipulations. They might reserve as much as they pleased claims, present and past, for the recovery of damages. Whatever their provisos, the outstanding fact remained that for good or for ill, the Arapahoes were to dwell upon the soil along with them. "The adoption by the United States of the wrongful act of any officer is of course an adoption of the act when and as committed, and causes such act of the officer to be, in virtue of the statute, a rightful appropriation by the Government, for which compensation is provided." *Crozier* v. *Krupp*, 224 U. S. 290, 305.

Confusion is likely to result from speaking of the wrong to the Shoshones as a destruction of their title. Title in the strict sense was always in the United States, though the Shoshones had the treaty right of occupancy with all its beneficial incidents. *United States* v. *Creek Nation, supra*, p. 109. What those incidents are, it is needless to consider now. Cf. *United States* v. *Cook*, 19 Wall. 591; *Pine River Logging Co.* v. *United States*, 186 U. S. 279; *United States* v. *Paine Lumber Co.*, 206 U. S. 467. The right of occupancy is the primary one to which the incidents attach, and division of the right with strangers is an appropriation of the land *pro tanto*, in substance, if not in form.

Third: The claimant's damages include such additional amount beyond the value of its property rights when taken by the Government as may be necessary to the award of just compensation, the increment to be measured either by interest on the value or by such other standard as may be suitable in the light of all the circumstances

The fact is unimportant that the taking was tortious in its origin, if it was made lawful by relation. *Crozier* v. *Krupp, supra*. The fact also is unimportant that it was a partial taking only, and that eviction was not complete. *Jacobs* v. *United States*, 290 U. S. 13, 16; *United States* v. *Cress*, 243 U. S. 316, 327–330; *Hurley* v. *Kincaid*, 285 U. S. 95, 104. Finally the fact is unimportant, there having been an appropriation of property within the meaning of the Fifth Amendment, that the jurisdictional act is silent as to an award of interest or any substitute therefor. *United States* v. *Creek Nation, supra*, p. 110, 111. Cf. *Yankton Sioux Nation* v. *United States*, 272 U. S. 351, 359. Given such a taking, the right to interest or a fair equivalent, attaches itself automatically to the right to an award of damages. *Jacobs* v. *United States, supra; Phelps* v. *United States*, 274 U. S. 341; *Brooks-Scanlon Co.* v. *United States*, 265 U. S. 106, 123; *Seaboard Air Line Co.* v. *United States*, 261 U. S. 299, 306. These cases distinguish *United States* v. *North American Co.*, 253 U. S. 330, cited by the Government which "rested upon its special facts." *Jacobs* v. *United States, supra*. Nor does the nature of the right divested avail to modify the rule. Power to control and manage the property and affairs of Indians in good faith for their betterment and welfare may be exerted in many ways and at times even in derogation of the provisions of a treaty. *Lone Wolf* v. *Hitchcock*, 187 U. S. 553, 564, 565, 566. The power does not extend so far as to enable the Government "to give the tribal lands to others, or to appropriate them to its own purposes, without rendering, or assuming an obligation to render, just compensation . . . ; for that 'would not be an exercise of guardianship, but an act of confiscation.'" *United States* v. *Creek Nation, supra*, p. 110; citing *Lane* v. *Pueblo of Santa Rosa*, 249 U. S. 110, 113; *Cherokee Nation* v. *Hitchcock*, 187 U. S. 294, 307–308. The right of the Indians to the occupancy of the lands pledged to them, may be one of occupancy only, but it is "as sacred as that of the United States to the fee." *United States* v. *Cook*, *supra*, p. 593; *Lone Wolf* v. *Hitchcock, supra; Choate* v. *Trapp*, 224 U. S. 665, 671; *Yankton Sioux Nation* v. *United States, supra*. Spoliation is not management.

The judgment should be reversed and the cause remanded to the Court of Claims for further proceedings in accord with this opinion.

Ordered accordingly.

IN THE COURT OF CLAIMS OF THE UNITED STATES

(Decided June 1, 1937, 85 Ct. Cls. 331.)

Shoshone Tribe of Indians of the Wind River Reservation in Wyoming v. the United States. No. H–219

Mr. George M. Tunison and *Mr. Albert W. Jefferis* for the plaintiff.
Mr. Charles J. Kappler and *Mr. Francis S. Howell* were on the brief.
Mr. Charles H. Small and *Mr. George T. Stormont*, with whom was *Mr. Assistant Attorney General Carl McFarland*, for the defendant.

This suit was instituted to recover $37,150,279.90, together with interest on certain amounts. It was brought under an act of Congress of March 3, 1927, 44 Stat. 1349, part 2, and is based upon the claim that the treaty with plaintiff made July 3, 1868, specifying a reservation of 3,054,182 acres of land in the State of Wyoming, was violated by the taking by the United States of a one-half interest in the reservation by placing the Northern Arapahoe Tribe of Indians on the Shoshone Reservation when the plaintiff tribe was not willing that such Indians be placed upon the reservation and the consent of the plaintiff tribe and the United States to such an arrangement was not obtained as required by the treaty.

Plaintiff contended that the taking of their land occurred March 3, 1927, when the Jurisdictional Act giving them a right to sue was enacted, and we held, 82 C. Cls. 23, that the taking of a one-half interest in the reservation for the Northern Arapahoe Indians occurred August 13, 1891. We determined the value, as of that date, to be $1.75 an acre, or $2,050,597.50 for a one-half interest in 2,343,540 acres composing the reservation at that time. Certain additional amounts totaling $100,395.49 were allowed and a number of items making up the total of plaintiff's claim were denied and the total amount found to be due the plaintiff tribe was $2,483,467.99. After deducting $1,689,646.50, determined to be the total offset to which defendant was entitled on account of gratuity payments and disbursements made for the benefit of plaintiff tribe, we entered judgment for $793,821.49. We denied plaintiff's claim for an additional amount measured by interest from the date of taking. Upon appeal by both parties the Supreme Court held, 299 U. S. 476, that the taking of a one-half interest in plaintiff's reservation for the Northern Arapahoe Indians occurred in March 1878 and that "the claimant's damages include such additional amount beyond the value of its property rights when taken by the Government as may be necessary to the award of just compensation, the increment to be measured either by interest on the value or by such other standard as may be suitable in the light of all the circumstances."

A further hearing was had and the case is now before the court on the questions (1) the character and extent of the property rights of the Shoshone Indians in the reservation of 3,054,182 acres specified in the Treaty of 1868 and the value on March 19, 1878, of such property rights in one-half of the reservation of 2,343,540 acres on that date, or 1,171,770 acres, and (2) the rate of interest to be used in measuring the amount to be added to the value of the interest taken to make just compensation.

Plaintiff contends (1) that the value in 1878 of the one-half interest in its reservation taken by the Government was $1.75 an acre, or $2,050,597.50; (2) that, in addition to this value plaintiff tribe sustained damages to the remaining one-half undivided interest of 87½ cents an acre amounting to $1,025,298.75; (3) that to the total value of $3,075,896.25 there should be added, as a part of the just compensation, interest at the rate of 7% per annum from the date of taking amounting to $12,703,451.51, thus making the total amount of $15,779,347.76 due on April 8, 1937, as just compensation, to which should be added other amounts totaling $100,395.49 allowed by the court and not now in controversy; and (4) that from the total amount of $15,879,-743.25 thus determined to be due there should be deducted on defendant's counterclaim under section 3 of the Jurisdictional Act an offset of $1,956,233.68, and judgment should be entered for $13,923,509.57 with interest at 7% per annum on $3,075,-896.25 from April 8, 1937, until paid.

Counsel for defendant contend that the only interest, legal or beneficial, which an Indian tribe has in a reservation is the right to live upon it, to hunt over it, and to use such parts of it as the Indians may desire for farming purposes, and that this is the character and full extent of the Indian title; that all other incidents affecting value of the reservation lands belong, and have always belonged, absolutely to the United States, which may be disposed of by the Government for its own benefit without legal or equitable accountability to the Indians under any treaty or any Act of Congress, and that in valuing the interest of plaintiff tribe to one-half of the reservation taken in 1878 for the benefit of the Arapahoe tribe no consideration whatever should be given to the value at that time of the land, as such, or to the value of timber or minerals thereon; that the fair and reasonable value of the right of the Shoshones to occupy and use the reservation of 2,343,540 acres was approximately 4 cents an acre in 1878, or a total value for the entire reservation of $92,000, and that the value of an undivided one-half interest therein taken for the Arapahoe tribe was $46,000; that in no event did the value in 1878 of a one-half interest in the reservation exceed $469,000, or approximately 40 cents an acre.

SPECIAL FINDINGS OF FACT

1. On July 2, 1863, plaintiff tribe of Indians and the United States entered into a treaty, 18 Stat. 685, which set apart for plaintiff a reservation of 44,672,000 acres located in Colorado, Utah, Idaho, and Wyoming in consideration of certain matters mentioned in the treaty. The United States agreed to pay to the tribe annually for twenty years the sum of $10,000 in such amounts as the President might deem suitable for their wants or conditions, either as hunters or herdsmen.

2. By the Treaty of July 3, 1868, 15 Stat. 673, plaintiff gave up and relinquished this reservation to the United States and accepted in lieu thereof the present reservation consisting originally of 3,054,182 acres in the State of Wyoming, together with the agreement of the United States to deliver at the agency house on the reservation annually for thirty years, in lieu of all sums of money or other annuities provided to be paid under any and all treaties theretofore made, certain articles of clothing and other supplies, and to construct certain buildings upon the reservation and furnish certain employees and instructors for the Indians, together with a school and a teacher. The important provisions of this treaty were as follows:

ARTICLE 1. From this day forward, peace between the parties to this treaty shall forever continue. The Government of the United States desires peace, and its honor is hereby pledged to keep it. The Indians desire peace, and they hereby pledge their honor to maintain it. If bad men among the whites, or among other people subject to the authority of the United States, shall commit any wrong upon the person or property of the Indians, the United States will, upon proof made to the agent and forwarded to the Commissioner of Indian Affairs at Washington City, proceed at once to cause the offender to be arrested and punished according to the laws of the United States, and also reimburse the injured person for the loss sustained.

If bad men among the Indians shall commit a wrong or depredation upon the person or property of any one, white, black, or Indian, subject to the authority of the United States, and at peace therewith, the Indians herein named solemnly agree that they will, on proof made to their agent and notice by him, deliver up the wrongdoer to the United States, to be tried and punished according to its laws; and in case they willfully refuse so to do, the person injured shall be reimbursed for his loss from the annuities or other moneys due or to become due to them under this or other treaties made with the United States. And the President, on advising with the Commissioner of Indian Affairs, shall prescribe such rules and regulations for ascertaining damages under the provisions of this article as in his judgment may be proper. But no such damages shall be adjusted and paid until thoroughly examined and passed upon by the Commissioner of Indian Affairs, and no one sustaining loss while violating or because of his violating the provisions of this treaty or the laws of the United States, shall be reimbursed therefor.

ARTICLE 2. * * * The United States further agrees that the following district of country, to-wit: Commencing at the mouth of Owl Creek and running due south to the crest of the divide between the Sweetwater and Papo Agie Rivers; thence along the crest of said divide and the summit of Wind River Mountains to the longitude of North Fork of Wind River thence due north to mouth of said North Fork and up its channel to a point twenty miles above its mouth; thence in a straight line to headwaters of Owl Creek and along middle of channel of Owl Creek to place of beginning, shall be and the same is set apart for the absolute and undisturbed use and occupation of the Shoshone Indians herein named, and for such other friendly tribes or individual Indians as from time to time they may be willing, with the consent of the United States, to admit amongst them; and the United States now solemnly agrees that no persons except those herein designated and authorized so to do, and except such officers, agents, and employees of the Government as may be authorized to

enter upon Indian reservations in discharge of duties enjoined by law, shall ever be permitted to pass over, settle upon, or reside in the territory described in this article for the use of said Indians, and henceforth they will and do hereby relinquish all title, claims, or rights in and to any portion of the territory of the United States, except such as is embraced within the limits aforesaid.

* * * * * * *

ARTICLE 4. The Indians herein named agree, when the agency house and other buildings shall be constructed on their reservations named, they will make said reservations their permanent home, and they will make no permanent settlement elsewhere; but they shall have the right to hunt on the unoccupied lands of the United States so long as game may be found thereon, and so long as peace subsists among the whites and Indians on the borders of the hunting districts.

ARTICLE 5. The United States agrees that the agent for said Indians shall in the future make his home at the agency building on the Shoshone Reservation, but shall direct and supervise affairs on the Bannack Reservation, and shall keep an office open at all times for the purpose of prompt and diligent inquiry into such matters of complaint by and against the Indians as may be presented for investigation under the provisions of their treaty stipulations, as also for the faithful discharge of other duties enjoined by law. In all cases of depredation on person or property he shall cause the evidence to be taken in writing and forwarded, together with his finding, to the Commissioner of Indian Affairs, whose decisions shall be binding on the parties to this treaty.

ARTICLE 6. If any individual belonging to said tribes of Indians, or legally incorporated with them, being the head of a family, shall desire to commence farming, he shall have the privilege to select, in the presence and with the assistance of the agent then in charge, a tract of land within the reservation of his tribe, not exceeding three hundred and twenty acres in extent, which tract so selected certified, and recorded in the "landbook", as herein directed, shall cease to be held in common, but the same may be occupied and held in the exclusive possession of the person selecting it, and of his family, so long as he or they may continue to cultivate it.

Any person over eighteen years of age, not being the head of a family, may in like manner select and cause to be certified to him or her, for purposes of cultivation, a quantity of land not exceeding eighty acres in extent, and thereupon be entitled to the exclusive possession of the same as above described. For each tract of land so selected a certificate, containing a description thereof, and the name of the person selecting it, with a certificate endorsed thereon that the same has been recorded, shall be delivered to the party entitled to it by the agent, after the same shall have been recorded by him in a book to be kept in his office subject to inspection, which said book shall be known as the "Shoshonee (eastern band) and Bannack Land Book."

The President may at any time order a survey of these reservations, and when so surveyed Congress shall provide for protecting the rights of the Indian settlers in these improvements, and may fix the character of the title held by each. The United States may pass such laws on the subject of alienation and descent of property as between Indians, and on all subjects connected with the government of the Indians on said reservations, and the internal police thereof, as may be thought proper.

ARTICLE 7. In order to insure the civilization of the tribes entering into this treaty, the necessity of education is admitted, especially of such of them as are or may be settled on said agricultural reservations, and they therefore pledge themselves to compel their children, male and female, between the ages of six and sixteen years, to attend school; and it is hereby made the duty of the agent for said Indians to see that this stipulation is strictly complied with; and the United States agrees that for every thirty children between said ages who can be induced or compelled to attend school, a house shall be provided and a teacher competent to teach the elementary branches of an English education shall be furnished, who will reside among said Indians and faithfully discharge his or her duties as a teacher. The provisions of this article to continue for twenty years.

ARTICLE 8. * * * And it is further stipulated that such persons as commence farming shall receive instructions from the farmers herein provided for, and whenever more than one hundred persons on either reservation shall enter upon the cultivation of the soil, a second blacksmith shall be provided, with such iron, steel, and other material as may be required.

ARTICLE 9. In lieu of all sums of money or other annuities provided to be paid to the Indians herein named, under any and all treaties heretofore made with them, the United States agrees to deliver at the agency house on the reservation herein provided for, on the first day of September of each year, for thirty years, the following articles, to wit:

For each male person over fourteen years of age, a suit of good substantial woolen clothing, consisting of coat, hat, pantaloons, flannel shirt, and a pair of woolen socks; for each female over twelve years of age, a flannel skirt, or the goods necessary to make it, a pair of woolen hose, twelve yards of calico, and twelve yards of cotton domestics.

For boys and girls under the ages named, such flannel and cotton goods as may be needed to make each suit as aforesaid, together with a pair of woolen hose for each.

And in order that the Commissioner of Indian Affairs may be able to estimate properly for the articles herein named, it shall be the duty of the agent each year to forward to him a full and exact census of the Indians, on which the estimate from year to year can be based; and in addition to the clothing herein named, the sum of ten dollars shall be annually appropriated for each Indian roaming and twenty dollars for each Indian engaged in agriculture, for a period of ten years, to be used by the Secretary of the Interior in the purchase of such articles as from time to time the condition and necessities of the Indians may indicate to be proper. And if at any time within the ten years it shall appear that the amount of money needed for clothing under this article can be appropriated to better uses for the tribes herein named, Congress may by law change the appropriation to other purposes; but in no event shall the amount of this appropriation be withdrawn or discontinued for the period named. And the President shall annually detail an officer of the Army to be present and attest the delivery of all the goods herein named to the Indians, and he shall inspect and report on the quantity and quality of the goods and the manner of their delivery.

ARTICLE 10. The United States hereby agrees to furnish annually to the Indians the physician, teachers, carpenter, miller, engineer, farmer, and blacksmith, as herein contemplated, and that such appropriations shall be made from time to time, on the estimates of the Secretary of the Interior, as will be sufficient to employ such persons.

ARTICLE 11. No treaty for the cession of any portion of the reservations herein described which may be held in common shall be of any force or validity as against the said Indians, unless executed and signed by at least a majority of all the adult male Indians occupying or interested in the same; and no cession by the tribe shall be understood or construed in such manner as to deprive without his consent, any individual member of the tribe of his right to any tract of land selected by him as provided in Article 6 of this treaty.

The plaintiff tribe immediately went upon this reservation and has ever since remained thereon. Certain portions of the original reservation defined by the 1868 Treaty were ceded to the United States by agreements in 1872, 1896, and 1904—the last cession being in trust for the purpose of sale or lease.

3. At the time of the making of the Treaty of 1868 the plaintiff tribe of Indians were full-blood blanket Indians, unable to read, write, speak, or understand English, with little previous contact with whites; but in all their contacts with the white people they had always been friendly. They lived mostly by hunting wild game and fishing. The affairs of the tribe were handled almost entirely by and under the advice of Chief Washakie until his death in 1900, and thereafter by the chief men and members of the tribal council.

The same condition existed in 1872 and in 1896 when agreements were made under which the tribe ceded portions of the reservation to the United States. Practically the same condition as to their education existed at the time the agreement of 1904, hereinafter mentioned, was made, except, at that time, the Shoshones had considerable contact with white settlers and the Indian agents of the reservation, and a few of them could speak and understand English fairly well.

4. The plaintiff's reservation, set apart by the Treaty of July 3, 1868, is located in the central-western part of Wyoming. The Owl Creek range of mountains, constituting the northern boundary of the reservation, rises to an approximate elevation of 12,000 feet. The Wind River range of mountains, constituting the west and southwest boundaries, rises to a maximum elevation of approximately 14,000 feet. The reservation is protected from the elements by these two ranges of mountains; also by the Beaver Divide to the south. The ancient Indian name for the reservation is Warm Valley.

The reservation comprises the choicest and best-watered portion of the State of Wyoming. The character of the land ranges from precipitous mountains at the extreme north and west, down through heavily timbered upland, lower down through well-grassed bench land, to a series of river valleys with level, deep soil toward the eastern portion of the reservation. In the lower altitudes between these river valleys are wide areas of rolling upland covered with salt sage, black sage, and grasses. The reservation is made up in part of unsurpassed mountain scenery. These mountains are the source of some of the largest rivers on the North American continent, and contain within their recesses numerous fresh-water lakes well stocked with trout and waterfowl, and on whose banks live beaver, otter, and other fur-bearing animals. The mountains contain more than 400,000 acres of spruce, pinon, hemlock, balsam, and yellow and white pine timber. The river valleys are level, easily irrigated, several miles in width, and contain a warm, rich, and productive soil. Stock lives the year round without other feed than being herded on the grasses growing from the mountain tops to the lowest valleys in greatest abundance, affording ample feed and range for livestock in the mountains in the summer season and in the lower reaches of the reservation in the fall and winter seasons. The water is pure, and the climate is mild and regular. The soil is rich and compares favorably in fertility to that of Illinois and Iowa. The climatic conditions are such that the grasses grown on the lower portions of the reservation cure on the ground without cutting or harvesting, and are available in that condition as feed for the livestock in the fall and winter. The average wind velocity is 4.1 miles an hour. This low-wind velocity makes for a low rate of evaporation of moisture from the soil and plants, thus facilitating the growth and preservation of plant life.

The soil and climatic conditions on the reservation are well suited for the production of alfalfa, sweet clover, hard and soft wheat, oats, barley, corn, beans, peas, toma-

toes, sugar beets, garden vegetables, small fruits, and melons. The land has a high average yield of crops.

The reservation was known in 1878 to contain substantial deposits of coal, oil, gas, and gypsum. On the northern and western boundaries of the reservation are numerous streams, which, generally, converge toward the east and south boundaries of the reservation, where they unite to form the Big Horn River. These streams traverse level valleys in the lower portions of the reservation, ranging from a half mile to five miles in width and from a few miles to 30 or 40 miles in length. A tracing showing the boundaries of the reservation and the rivers that run through it is in evidence as an exhibit to the report of the General Accounting Office, and is made a part hereof by reference.

The land on the reservation best suited for agricultural purposes lies toward the eastern portion thereof, where the river valleys are wider, the soil deeper and free from boulders, easy to irrigate, and nearer a railroad; and due to elevation, the growing season is from three to four weeks longer in the eastern portion of the reservation than in the western portion. The Arapahoes were placed on the eastern portion of the reservation. The average annual precipitation on the reservation is from about ten to twenty inches in the lower portions thereof and from twenty to twenty-five inches in the mountainous portions. Ample water is available to irrigate all agricultural land on the reservation. The reservation is supplied with sufficient water power for the production of electric light and power.

At the time of the execution of the Treaty of July 3, 1868, buffalo, elk, bear, antelope, deer, and other wild animals suitable for food were in great abundance on the reservation. Such game was native and indigenous to the mountains and valleys of the reservation, and was found sufficiently adequate for subsistence of the Indians for many years. The plaintiff tribe of Indians went on annual hunts into the mountains for food, and the skins of certain wild animals were used for robes and other necessary uses for members of the tribe. Prior to and after execution of the Treaty of July 3, 1868, defining the original reservation for the Shoshone Indians, hunters and trappers killed many of the wild animals native to the territory covered by the treaty, and many of them were frightened away—all with the result that in the years following the date of the treaty the number of buffalo and other wild animals roaming the reservation and within the mountainous regions thereof was greatly reduced.

5. Promptly following the execution of the Treaty of 1868, the United States constructed on the reservation the agency house and other buildings mentioned therein, and furnished an agent, together with other employees, provided for in the treaty. Thereupon the Shoshone Tribe occupied the reservation, and ever since that date it has made the same its permanent home, making no settlement elsewhere, and that tribe has claimed the reservation as its own exclusive property continually and uninterruptedly since that date, and during such period it has held possession of and occupied the same. Ever since entering into the treaty the Shoshones have fulfilled all the obligations, terms, and conditions therein required of them.

6. Prior to the execution of the Shoshone Treaty, July 3, 1868, gold had been discovered at a point near the boundary line of the Shoshone Reservation on the south end of the Wind River Mountains and the gold-mining district extended within the boundary line of the reservation as fixed in the treaty and a large quantity of gold was removed from the mines on the reservation by persons engaged in that enterprise. As a result of this intrusion, Felix R. Brunot was appointed a commissioner to negotiate with the Shoshone Indians for the cession of a portion of the reservation located in the gold-mining district. The best gold mines in the district had been found to be located within the reservation. As a result, Brunot obtained an agreement from the Shoshones ceding 700,642 acres of the reservation for a total consideration of $27,500. At that time the Indians had no conception of the value of money or the value of the property they were surrendering to the Government and they accepted, without question, Brunot's first offer of the amount stated. With reference to the consideration to be paid for this cession, Brunot reported to the Commissioner of Indian Affairs that "Acting upon my experience of the general habit of Indians, the Shoshones were offered a sum as the basis of further negotiation, and which I supposed would have to be increased to meet the demand of the Indians. When the terms first offered were promptly

accepted, I did not feel at liberty to make an addition. It seems eminently proper to solicit from Congress." No further amount was ever paid for this cession.

Between July 3, 1868, the date of the treaty, and 1874, when the cession agreement above mentioned was ratified, gold of the value of $500,000 was mined and removed from land within the boundary of the undiminished reservation. After this cession the diminished reservation contained 2,343,540 acres.

7. On March 19, 1878, the United States took from the Shoshone Tribe of Indians an undivided one-half interest in their reservation of 2,343,540 acres described and set apart for said tribe in the Treaty of July 3, 1868, and on the same date permanently placed and settled the Northern Arapahoe Tribe of Indians on the eastern and most valuable portion thereof with equal rights with the Shoshones in and to the entire reservation. The Shoshone Tribe was not willing that this be done and the Northern Arapahoe Tribe was placed upon the reservation without the consent of the plaintiff tribe and in violation of the provisions of the treaty with the Shoshone Tribe of Indians of July 3, 1868, 15 Stat. 673. Some of the facts which were known concerning the reservation of plaintiff tribe at the time it was set apart to the Shoshone Tribe by the Treaty of July 3, 1868, are accurately set forth in the annual report of the Secretary of the Interior, 1866 (Serial 1284, p. 127), in the form of a quotation from a report of Indian Agent Mann, as follows:

> The valley of the Wind River Mountains is the territory which the tribe has selected for its home, and this is the place where such a reservation should be set apart and any agency established. The country abounds in game, has a very mild climate, and possesses agricultural advantages which make it a great desideratum to the white man. Numerous oil springs have been discovered and located in the valley of the Pawpawgee, but this tribe is strongly opposed to any invasion of its territory by the whites. I greatly fear that these mineral and agricultural resources will turn out to be a bone of contention between the whites and the reds, and would therefore urge that the tribe have a reservation staked out which may be held sacred to them, and not be encroached upon by the whites. Several of our citizens are looking towards the Wind River country with a view to its development, and I give you a few extracts from a letter written by one who passed the winter and a part of the spring in the valley. He says, "The air is pure, the water of the best, the climate mild and regular. The soil is not second in fertility to that in Illinois or Iowa, farming land enough to support a population of two hundred thousand persons, the climate well adapted to the growth of small grain and fruit, especially apples and vegetables. There is plenty of timber for building and fencing purposes; the scenery is most beautiful and picturesque. There are two oil springs in the valley, one of which pours forth one hundred barrels per day. There are good indications of stone, coal, and iron, with numerous quarries of limestone suitable for building purposes. The foot-hills and valleys are covered, winter and summer, with a luxuriant growth of nutritious grass, making the finest grazing west of the Missouri. The mountains have indications of mineral deposits. But little snow fell and what did fall soon disappeared. Stock can be wintered without any feeding. Buffalo and other game abounds," etc., etc.

The annual report of the Secretary of the Interior for 1878, Serial 1850, page 644, also stated true facts concerning the Shoshone reservation, in part, as follows:

> The mountains are the source of some of the most magnificent rivers on the continent, and contain within their recesses an almost innumerable number of fresh-water lakes, many of which are of unknown depths, full of the finest trout and thousands of water-fowls, and on whose banks live the beaver, otter, and many other fur-bearing animals. The mountains * * * contain an inexhaustible supply of spruce, pinon, hemlock, balsam, and yellow and white pine timber. The whole reservation is the fairest and best watered portion of the territory, and includes all of the Wind River valleys, which are level, easily irrigated, and from one-half to five miles in width; soil warm and rich, and with ordinary care very productive. No part of the reservation can be considered valueless for all purposes. For agriculture and grazing purposes it is simply a wonderful country. Stock lives all the year without any other care than being herded on the nutritious grasses growing from the mountain tops to the lowest valleys in the greatest abundance * * *.

The fertility and productiveness of the farming land comprised within the Shoshone Reservation are accurately illustrated in the annual report of territorial Governor Hoyt, of Wyoming, to the Secretary of the Interior for 1878, pages 42 and 43, describing the farm products produced on land bordering the Shoshone Reservation as follows:

> There are now in this office some as fine samples of wheat, oats, clover, timothy, red-top, and other grasses, gathered by my own hand in the valley of the Big Popo Agie (Lander Valley), 15 miles this side of Camp Brown, as can be found in any state in the Union. And they were not the product of garden culture. They were gathered off a farm of 160 acres all in cultivation, and itself but one of a number of farms in that immediate neighborhood aggregating 1,500 acres under thorough and very successful cultivation, whole fields of wheat standing over 5 feet, and so thick that I walked through it with difficulty; oats, also over 5 feet in height, as heavy as they could stand and nodding with the weight of grain; timothy, 4 feet and of first quality; clover, 3½ feet, standing erect; and other grasses equally luxuriant, and all promising to mature a most abundant harvest.

The assessed value of the land in Fremont County in the State of Wyoming for the year 1887, which was the earliest assessment, was $5.44 an acre. Fremont County at that time included the Shoshone Reservation. The prices in effect in 1878 for various types of lands recognized by the land laws at that time and sold by the Federal Government were as follows: Agricultural land (tillable), $2.50 an acre; desert land (tillable only under irrigation), $1.25 an acre; mineral land containing lode deposits, $5 and acre; mineral land containing placer deposits, $2.50 an acre; coal lands, $20 an acre if within fifteen miles of a completed railroad or $10 an acre if otherwise situated; and timber and stone lands, $2.50 an acre. Lands containing oil and gas, phosphate rock, or gypsum, or involving power site or reservoir value, or valuable only for grazing, were not differentiated in 1878 from lands in the categories mentioned. Railroad facilities were near at hand.

On April 21, 1896, the plaintiff tribe, after negotiations with Indian Inspector James McLaughlin, acting for and on behalf of the United States, ceded 55,040 acres of land embracing Big Horn Hot Springs, and this agreement was approved June 7, 1897, 30 Stat. 62, 93. This land was located in the northeast corner of the reservation and, as a tract, was not as valuable as the remainder of the Shoshone Reservation as a whole. The consideration agreed to be paid, and which was paid, for this cession was $60,000.

April 21, 1904, the Shoshone Indians and the Northern Arapahoe Indians entered into an agreement with the United States ceding 1,480,000 acres of land to the United States in trust for the sale of such lands, timber thereon, and other products on the reservation and for the making of leases for various purposes. The net proceeds derived from such ceded lands were to be credited to the Shoshone and Arapahoe Indians. After these agreements the diminished reservation consisted of 808,500 acres. No further cessions have been made. During the period 1907 to 1919 a total of 245,058 acres of land on the diminished reservation was allotted in severalty to the Shoshone and Arapahoe Indians. Additional lands have subsequently been allotted, but the record does not disclose the extent of such allotments. The lands allotted to the Arapahoe Indians were located on the eastern portion of the reservation, which were the most valuable of the farming lands within the reservation. The respective population of the Shoshone and the Northern Arapahoe Tribes of Indians from 1878 to date has been approximately equal.

8. The fair and reasonable value of a one-half undivided interest of the Shoshone or Wind River Reservation of a total of 2,343,540 acres, which was taken by the United States on March 19, 1878, from the Shoshone Tribe of Indians for the Northern Arapahoe Tribe, was, on March 19, 1878, $1,581,889.50.

9. The amount to be added to the value of plaintiff's property rights of $1,581,-889.50 when taken by the Government March 19, 1878, necessary to the award of just compensation is $4,682,392.92. This additional amount is measured by interest on such value at March 19, 1878, at 5 percent per annum, which was the usual and customary rate of interest provided in Indian treaties, agreements, and statutes concerning funds belonging to Indian tribes and held and used by the Government in the management of Indian affairs and in the use of Indian funds generally for the benefit of the Indian tribes.

The above-mentioned additional amount of $4,682,392.92 is arrived at by computing interest, not as interest but as a part of just compensation, on the value of the property rights taken from March 19, 1878, to June 1, 1937.

10. Under finding 24 of the findings of fact and item 14 of the opinion heretofore rendered December 2, 1935, 82 C. Cls. 23, plaintiff is entitled to recover the amount of $89,704.17 due it to June 30, 1927, on account of the proceeds from the Wind River Reservation erroneously credited to the Northern Arapahoe Tribe of Indians.

Under the agreement of September 26, 1872, 18 Stat. 291, plaintiff is entitled to recover the unpaid balance of $14.50.

Under the agreement of April 21, 1896, 30 Stat. 62, 93, covering the Big Horn Hot Springs cession of 55,040 acres, plaintiff is entitled to recover $7,661.84.

Under the agreement of April 21, 1904, 33 Stat. 1016, plaintiff is entitled to recover $3,014.98.

11. *Offsets under gratuity disbursements.*—Section 3 of the Jurisdictional Act provided that "In said suit the court shall also hear, examine, and adjudicate any claim

which the United States may have against said tribe, but any payment, including gratuities which the United States may have made to said tribe, shall not operate as an estoppel, but may be pleaded as an offset in such suit." During the period July 1, 1867, to June 30, 1927, the Congress appropriated and the Indian Department made gratuity disbursements totaling $1,223,266.26, of which $166,189.28 was charged against the plaintiff tribe directly and $1,057,076.98 against the Shoshone, Bannock, and Arapahoe Tribes jointly for the purposes and in the amounts following:

Schedule no.	Name of appropriation or fund	Direct	Jointly with other Indians
1	Aiding Indian allottees, under act of February 8, 1887 (reimbursable)	$7,084.07	$1,500.00
2	Allotments, under act of February 8, 1887 (reimbursable)		65,108.80
3	Asylum for Insane Indians, Canton, S. Dak		147.31
4	Buildings at agencies, and repairs	934.59	23,305.18
5	Care and protection of Indian timberlands		2,478.60
6	Civilization fund	9,935.57	35,671.16
7	Contingencies, Indian Department	112.17	1,116.23
8	Experiments, Indian school or agency farms		59.55
9	Fulfilling treaties with Sioux of different tribes, including Santee Sioux of Nebraska	37.50	
10	General expenses, Indian Service		2,086.61
11	Incidental expenses of Indian Service in Utah Territory	399.54	
12	Incidental expenses of Indian Service in Wyoming	4,022.44	14,082.19
13	Incidentals in Wyoming		13,672.66
14	Increase of compensation, Indian Service	8,534.30	31,745.73
15	Indian agency buildings		6,296.94
16	Indian boarding schools		65,136.45
17	Indian school buildings	10,159.85	5,124.30
18	Indian school and agency buildings	1,402.93	44,654.97
19	Indian school, Carlisle, Pa	500.59	
20	Indian school, transportation		944.79
21	Indian schools in States	1,155.18	
22	Indian schools in States: Support	493.50	
23	Indian schools: Stock cattle		455.00
24	Indian schools: Support	20,439.63	100,061.09
25	Industrial work and care of timber	48.69	101,259.08
26	Judgments, Indian depredation claims	1,400.00	
27	Maintaining peace among and with the various tribes and bands of Indians	4,457.34	4,758.50
28	Negotiating with Indians for lands		299.38
29	New allotments, under act of February 8, 1887 (reimbursable)		92.00
30	Pay of farmers		42,221.79
31	Pay of Indian agents		35,095.70
32	Pay of Indian police	4,570.48	94,224.13
33	Pay of interpreters	11,396.17	652.32
34	Pay of judges, Indian courts		5,057.01
35	Pay of matrons		9,146.50
36	Pay of superintendents and agents	1,105.25	10,510.69
37	Presents and provisions to Indians	125.00	
38	Purchase and transportation of Indian supplies	15,175.39	59,324.87
39	Relieving distress and prevention, etc., of diseases among Indians		2,128.51
40	Stock cattle for Indian Industrial schools		2,872.50
41	Support of Arapahoes, Cheyennes, Apaches, Kiowas, Comanches, and Wichitas		7,000.00
42	Support of Indian schools		13,356.03
43	Support of schools not otherwise provided for		493.22
44	Suppressing liquor traffic among Indians		81.40
45	Surveying and allotting Indian reservations		1,103.73
46	Surveying and allotting Indian reservations (reimbursable)		50,119.84
47	Survey of Indian reservations		1,057.60
48	Telegraphing and telephoning, Indian Service		47.55
49	Telegraphing and purchase of Indian supplies		165.10
50	Telegraphing, transportation, etc., Indian supplies	3,481.42	21,923.49
51	Transportation of Indian supplies	59,205.68	180,221.48
52	Vaccination of Indians	12.00	217.00
		166,189.28	1,057,076.98

12. All of the charges made directly against plaintiff tribe totaling $166,189.28, except $12,294.73 thereof, represented expenditures after the advent of the Arapahoe Indians upon the Shoshone Reservation. Of the last-mentioned amount of $12,294.73 charged directly against the plaintiff, the amount of $7,510.31 represented expenditures for purposes in the benefits of which the Bannock Tribe shared equally with plaintiff during the time that tribe lived on the Shoshone Reservation. The population of the Bannock Tribe during the period they shared in expenditures for the Shoshones was 800 and that of plaintiff tribe during that time was 2,400. The amount of $4,784.42 of the above-mentioned $12,294.73 represented that portion of the total expenditure of $166,189.28 disbursed and charged directly against the plaintiff tribe before the Arapahoe Tribe of Indians moved to the Shoshone Reservation. The Arapahoe Indians shared equally with the Shoshones in the benefits of $127,661.58 of the total expenditures charged directly to plaintiff for the purposes specified in items 4, 7, 14, 17, 18, 24, 26, 38, 50, 51, and $6,815.62 of item 33 of the above-mentioned tabulation.

13. The direct charges made against the plaintiff tribe out of expenditures for the period mentioned for purposes in which the Arapahoe Tribe did not share equally with

the Shoshones total $38,527.70. Of the last-mentioned amount, $7,510.31 represented expenditures for the benefit of the plaintiff tribe of Indians and the Bannock Indians jointly, and on the basis of population of these two tribes during the time the Bannock Indians were on the Shoshone Reservation the amount of $2,503.44 represented the share of the Bannock Indians, leaving a total direct expenditure for the benefit of the plaintiff tribe of Indians, in the benefits of which neither the Bannocks nor the Arapahoes shared, of $36,024.26. The defendant is entitled to offset this amount against plaintiff.

14. With respect to the above-mentioned sum of $127,661.58, being that portion of the disbursements of $166,189.28 charged directly against the plaintiff tribe for purposes in the benefits of which the Arapahoes shared equally with the Shoshones, the defendant is entitled to an offset against plaintiff in the amount of $63,958.45 on the basis of the average annual population of plaintiff tribe to the total population of both tribes in the proportion of 50.18 percent for the Shoshones for the period 1878 to 1927, inclusive.

15. During the period July 1, 1867, to June 30, 1927, the United States appropriated and expended for the benefit of plaintiff tribe jointly with the Bannock and the Northern Arapahoe tribes on the Shoshone Reservation a total of $1,057,076.98, which included the amount of $116,820.84 made reimbursable by the act of February 8, 1887, but which amount has not been repaid.

The amount of $32,502.52 of the total joint charges of $1,057,076.98 represented expenditures made for the joint benefit of plaintiff and the Bannock tribes during the years July 1, 1867, to the fiscal year 1876, inclusive. The records are such that it is now impossible to determine what portion of this amount of $32,502.52 should be charged to plaintiff tribe. However, both tribes shared equally in the benefits and the plaintiff tribe should be charged with $21,668.34. The defendant is entitled to offset this amount in respect of this item.

On the basis of percentage of population of plaintiff tribe in each year during the period 1878 to 1927, inclusive, the defendant is entitled to an offset of $511,791.92 in respect of expenditures totaling $1,024,574.46 charged jointly to plaintiff and the Arapahoe Tribe.

16. During the fiscal years 1882 to 1921, inclusive, gratuity disbursements were made out of appropriations in the total sum of $4,147,322.55 for the benefit of the Shoshone and the Arapahoe tribes of Indians on the Shoshone Reservation in Wyoming. The sum of $611,842.22 of this amount was charged directly against the plaintiff tribe, and $3,535,480.33 was charged against the Northern Arapahoe and plaintiff tribes jointly. The purposes for which these disbursements were made and the direct and joint charges were as follows:

Item nos.		Direct	Jointly with Northern Arapahoe Tribe of Indians	Totals
1	Agency buildings and repairs		$4,213.97	$4,213.97
2	Agricultural aid		636.01	636.01
3	Agricultural implements and equipment	$34,845.52	10.00	34,855.52
4	Care of livestock	502.72		502.72
5	Clothing	6,153.19		6,153.19
6	Education	1,791.34	1,004,350.43	1,006,141.77
7	Erection and repairs of mills and shops	1,771.66		1,771.66
8	Feed for livestock	20,343.76		20,343.76
9	Fencing and breaking land	7,736.09		7,736.09
10	Fuel and light	18,324.15		18,324.15
11	Hardware, glass, oils, and paint	14,360.58	465.16	14,825.74
12	Household equipment	5,888.66		5,888.66
13	Irrigation		2,264,123.00	2,264,123.00
14	Livestock	3,610.00		3,610.00
15	Medical attention	9,149.42		9,149.42
16	Miscellaneous agency expenses	15,426.91	5.49	15,432.40
17	Miscellaneous building material	1,844.07		1,844.07
18	Miscellaneous employees	25,443.75		25,443.75
19	Pay of herders	1,391.82		1,391.82
20	Presents	16.75		16.75
21	Provisions and other rations	416,550.91		416,550.91
22	Roads and bridges	15,650.31	250,455.07	266,105.38
23	Seeds	7,014.10		7,014.10
24	Surveying		1,400.00	1,400.00
25	Telephone line		699.70	699.70
26	Transportation, etc., of supplies	4,026.51		4,026.51
27	Payment to settlers		9,121.50	9,121.50
		611,842.22	3,535,480.33	4,147,322.55

17. With reference to the amount of $611,842.22 charged directly against plaintiff, as above mentioned, the amount of $96,847.94 under items 7, 10, 11, 16, 17, 18, 22, and 26 of the above tabulation represented the total of disbursements directly charged to plaintiff for facilities and services in the benefits of which the Northern Arapahoe Indians shared equally with plaintiff tribe, and for which the record does not show any direct charge against the Northern Arapahoe Indians, leaving a balance of $514,994.28 which the defendant is entitled to offset against plaintiff.

With respect to the above-mentioned amount of $96,847.94, the defendant is entitled to offset against plaintiff the amount of $49,198.75 on the basis of the average annual population of plaintiff tribe of 50.8 percent during the period 1882 to 1921, inclusive.

18. In the expenditures for the joint benefit of plaintiff tribe and the Northern Arapahoe Tribe in the sum of $3,535,480.33, disbursed during the period July 1, 1882, to June 30, 1927, there was included the sum of $235,963.07 disbursed during the years 1913 to 1927, inclusive, for roads and bridges on the Shoshone Reservation which was made reimbursable by the acts authorizing such expenditures.

By the act of July 1, 1932 (47 Stat. 564), it was provided:

> That the Secretary of the Interior is hereby authorized and directed to adjust or eliminate reimbursable charges of the Government of the United States existing as debts against individual Indians or tribes of Indians in such a way as shall be equitable and just in consideration of all the circumstances under which such charges were made. * * * *Provided further,* That any proceedings hereunder shall not be effective until approved by Congress unless Congress shall have failed to act favorably or unfavorably thereon by concurrent resolution within sixty legislative days after the filing of said report, in which case they shall become effective at the termination of the said sixty legislative days.

On December 15, 1932, the Secretary of the Interior reported to Congress that the outstanding indebtedness for roads and bridges on the Shoshone Reservation was $131,492.50, and he recommended that the entire amount of the unpaid reimbursable balance be canceled. Congress not having disapproved this recommendation within sixty legislative days after December 1932, the outstanding reimbursable balance was no longer a charge against the Shoshone Tribe of Indians, as appears from the statement of the Commissioner of Indian Affairs of July 10, 1933, that "In accordance with the terms of the act of July 1, 1932, this sum is no longer regarded as a reimbursable charge against the tribal funds."

The aforementioned expenditures of $3,535,480.33 also included disbursements for "Irrigation System, Wind River Diminished Reservation, Wyoming", totaling $2,264,-123, made during the period 1906 to 1927, and more than one-half of which was expended in the years 1918 to 1925. Of this last-mentioned amount, expenditures totaling $1,582,285.25 were made reimbursable by the appropriation acts under which that amount was expended.

19. Allotments of land on the diminished reservation were made to the Shoshone and Arapahoe Indians in severalty and during the period 1907 to 1919, 245,058 acres had been allotted. By the act of August 1, 1914, 38 Stat. 582, 583, it was provided that the costs of irrigation systems incurred by the Government, before or after the date of the act, were to be assessed against the landowners who were to receive the benefits of the irrigation. Under this act the cost of such irrigation development was transferred from the tribe to the individual Indian allottee having irrigable land under any project on the reservation. The act provided that "all moneys expended heretofore or hereafter under this provision shall be reimbursable where the Indians have adequate funds to repay the Government, such reimbursements to be made under such rules and regulations as the Secretary of the Interior may prescribe." Apportionment of such irrigation construction cost was directed by the act of February 14, 1920, 41 Stat. 408, 409, and the apportionment was made and approved by the Department. That act provided that "The Secretary of the Interior is hereby authorized and directed to require the owners of irrigable land under any irrigation system heretofore or hereafter constructed for the benefit of Indians and to which water for irrigation purposes can be delivered to begin partial reimbursement of the construction charges, where reimbursement is required by law, at such times and in such amounts as he may deem best; all payments hereunder to be credited on a per-acre basis in favor of the land in behalf of which such payments shall have been made and to be deducted from the total per-acre charge assessable against said land."

In order to insure the United States reimbursement for the advancement of money for the construction, operation, and maintenance of irrigation projects on the Shoshone Reservation, Congress, by the act of March 7, 1928 (45 Stat. 200, 210), created a lien on the land of allottees under the Shoshone Indian irrigation projects. This act provided as follows:

That the costs of irrigation projects and of operating and maintaining such projects, where reimbursement thereof is required by law, shall be apportioned on a per-acre basis against the lands under the respective projects and shall be collected by the Secretary of the Interior as required by such law, and any unpaid charges outstanding against such lands shall constitute a first lien thereon which shall be recited in any patent or instrument issued for such lands.

In accordance with the provisions of these acts the cost of irrigation projects on the Shoshone Reservation has been apportioned.

The Superintendent of the Indian Field Service reported, on June 17, 1931, that

The cost of the irrigation project constructed for Indians on the Shoshone or Wind River Reservation has been apportioned in accordance with the benefits received by each individual Indian so far as practicable against such Indians on a per-acre basis against the lands under the respective projects, and the unpaid charges outstanding against such lands constitute a first lien thereon.

On July 3, 1931, the Commissioner of Indian Affairs stated of record in this case with reference to expenditures for irrigation involved in the case at bar that

the statements contained in Superintendent Haas' letter * * * are in accord with the facts. Prior to the act of August 1, 1914 (38 Stat. 582), the cost of irrigation work on this reservation was payable out of tribal funds. By that act the cost was shifted from the tribal burden to that of the individual Indian or allottee having irrigable land under the project on that reservation. The equitable way of distributing costs is by taking the acreage under a unit or a project and dividing same into the cost of the works, thereby giving the per-acre assessment of charge against each acre of land under the particular unit or project. This method is consistent with usual practice and works the greatest equity to all under the project. Apportionment of construction costs was directed by the act of February 14, 1920 (41 Stat. 408). The act of March 7, 1928 (45 Stat. 200), created a lien against lands of the Shoshone Indian irrigation project, which lien is recited in patents issued for irrigable lands thereunder prior to the payment of the share of the cost of the irrigation works.

20. The elimination of the item of $2,264,123 for irrigation and $235,963.07 for roads and bridges, totaling $2,500,086.07, from the total expenditure of $3,535,480.33 made during the period July 1, 1881, to June 30, 1927, for the joint benefit of the Northern Arapahoe and plaintiff tribes, leaves $1,035,394.26, and from this sum there should be further eliminated the item of "Payment to settlers", set forth in item 27 of the tabulation above, amounting to $9,121.50, representing payments made by the United States to persons who had settled upon the Shoshone Reservation in order to obtain their removal therefrom; this leaves a balance of $1,026,272.76 in respect of which the defendant is entitled to offset against the plaintiff tribe the amount of $508,005.02, on the basis of the average annual population of plaintiff tribe of 49.5 percent to the total population of both tribes during the period 1884 to 1927, inclusive.

21. The total amounts of $2,264,123 and $235,963.07 expended for irrigation and roads and bridges, respectively, under specific appropriations for the joint benefit of plaintiff tribe and the Northern Arapahoe Tribe of Indians were expended in the years and in the amounts following:

Year	Irrigation	Roads and bridges	Year	Irrigation	Roads and bridges
1906	$25,000.00		1918	$141,738.50	$24,986.18
1907	75,952.57		1919	160,175.82	19,628.09
1908	111,824.53		1920	353,057.98	23,753.99
1909	103,430.97		1921	145,604.63	14,994.31
1910	83,209.13		1922	74,460.54	11,163.03
1911	114,368.77		1923	98,989.34	14,999.19
1912	48,617.26		1924	215,215.49	19,749.26
1913	26,675.81	$486.97	1925	196,576.06	8,796.12
1914	52,216.58	9,511.97	1926	48,972.54	7,493.82
1915	53,002.57	24,845.02	1927	54,041.74	5,928.80
1916	25,195.48	24,943.23			
1917	55,796.69	24,683.09		2,264,123.00	235,963.07

22. Subsequent to the accounting report filed in this case for the period July 1, 1878, to June 30, 1927, on the basis of which the foregoing offsets totaling $1,705,641.02 against the plaintiff tribe have been determined, a supplemental report of accounting of

payments made by the United States from appropriations for the Indian Service generally and out of available funds has been filed showing disbursements for the benefit of the plaintiff tribe for the period July 1, 1927, to June 30, 1934. During this period the amount of $6,904.48 was disbursed and charged directly to plaintiff tribe. This amount the defendant is entitled to offset.

23. During the same period, July 1, 1927, to June 30, 1934, the defendant expended out of other than Treaty Appropriations for the benefit of plaintiff tribe and the Northern Arapahoe Tribe, jointly, a total of $487,376.36 for the following purposes:

Agency buildings and repairs	$59,774.01
Agricultural aid	601.38
Agricultural implements and equipment	25.25
Automobiles and repairs	492.11
Care and protection of timber lands	3,786.93
Education:	
Automobiles and repairs	1,190.26
Books, stationery, etc	1,385.75
Clothing	8,449.61
Erection and repair of school buildings	90,135.11
Feed and care of livestock	740.16
Fuel, light, and water	9,932.61
Furniture and equipment	12,566.74
Hardware, glass, oils, and paints	1,983.80
Livestock	1,361.05
Medical attention	125.16
Pay of miscellaneous employees	55,585.26
Pay of teachers	36,310.44
Provisions and other rations	4,978.39
School farm	4,810.59
Transportation, etc., of supplies	759.99
Transportation of pupils	722.70
Traveling expenses	388.36
Expenses of surveying and allotting	61,196.04
Feed and care of livestock	244.71
Fuel, light, and water	44.00
Hardware, glass, oils, and paints	1,415.99
Household equipment	183.83
Livestock	107.50
Medical attention	53,313.89
Miscellaneous agency expenses	593.29
Miscellaneous building material	170.41
Pay and expenses of Indian police	9,830.78
Pay of farmers	7,173.41
Pay of judges	1,166.25
Pay of miscellaneous employees	12,996.03
Provisions and other rations	88.76
Roads and bridges	21,037.22
Sheep corrals	86.00
Transportation, etc., of supplies	21,622.59
Total	487,376.36

During this period the population of the two tribes was almost equal. Each tribe shared equally in the benefits of these expenditures. The defendant is entitled to offset against plaintiff tribe one-half of the total of these expenditures, or $243,688.18.

24. The amount which the defendant is entitled to offset under the Jurisdictional Act against the total amount due plaintiff tribe is $1,956,233.68, itemized as follows:

Finding 13	$36,024.26
14	63,958.45
15	21,668.34
15	511,791.92
17	514,994.28
17	49,198.75
20	508,005.02
22	6,904.48
23	243,688.18

CONCLUSION OF LAW

Upon the foregoing special findings of fact, which are made a part of the judgment herein, the court decides, as a conclusion of law, that plaintiff is entitled to recover $6,364,677.91.

The defendant on its counterclaim is entitled to offset against the total amount due plaintiff the amount of $1,956,233.68, leaving a balance of $4,408,444.23 due plaintiff.

It is therefore adjudged and ordered that the plaintiff recover of and from the United States four million four hundred eight thousand four hundred forty-four dollars and twenty-three cents ($4,408,444.23), with interest at 5 percent per annum on $1,581,889.50 from June 1, 1937, to date of payment.

OPINION

LITTLETON, *Judge*, delivered the opinion of the court:

The Jurisdictional Act, under which this suit was instituted, was approved March 3, 1927, 44 Stat. 1349. It conferred jurisdiction upon this court, with right of appeal to the Supreme Court by either party, to hear, examine, adjudicate, and render judgment in any and all legal and equitable claims which the Shoshone Tribe of Indians of the Wind River Reservation in the State of Wyoming might have against the United States arising under or growing out of the Treaty of July 3, 1868, or arising under or growing out of any subsequent treaty or agreement between said Shoshone Tribe and the United States or any subsequent act of Congress affecting the tribe which claims have not heretofore been determined and adjudicated upon their merits by this court or the Supreme Court. In section 3 it was provided that "In said suit the court shall also hear, examine, and adjudicate any claims which the United States may have against said tribe, but any payment, including gratuities which the United States may have made to said tribe, shall not operate as an estoppel but may be pleaded as an offset in such suit: *Provided, however*, That the United States may interpose to such suit or action any and all pleas of defense, affirmative and negative, legal and equitable, which it may have thereto not herein specifically barred by the provisions of this act. In reference to all claims which may be the subject matter of the suits herein authorized, the decree of the court shall be in full settlement of all damages, if any, committed by the Government of the United States, and shall annul and cancel all claim, right, and title of the said Shoshone Indians in and to such money, lands, or other property."

The questions now involved in this case are (1) the value on March 19, 1878, of the property rights of the plaintiff in and to one-half of a reservation of 2,343,540 acres of land, known as the Shoshone or Wind River Reservation, in the State of Wyoming taken by the government on the date mentioned for the Northern Arapahoe Tribe of Indians; (2) the amount to be added to such value necessary to the award of just compensation.

The property taken by the government consisted of a one-half undivided interest in the entire reservation, or 1,171,770 acres. For this plaintiff contends for a value of $1.75 an acre, or $2,050,597.50 on March 19, 1878, and an additional amount as a part of just compensation at the rate of 7 percent per annum to date of payment. As further damages plaintiff contends for an allowance of 87½ cents an acre to the remainder of the reservation on the ground that the Arapahoes were placed on and given the most valuable portion. From the total of these amounts plaintiff deducts the total allowable disbursements made by the government for the benefit of plaintiff tribe from 1878 to June 30, 1934, the date on which the evidence of accounting between the government and the plaintiff tribe ended, and asks judgment for the balance, which it computes as $13,923,509.57, as follows:

Reasonable value of a one-half undivided interest	$2, 050, 597. 50
Damages to remaining one-half interest at 87½ cents	1, 025, 298. 75
Additional amount measured by interest at 7 percent per annum	12, 703, 451. 51
Total of other amounts allowed by Court	100, 395. 49
	15, 879, 743. 25
Less offset	1, 956, 233. 68
Balance due to date of judgment	13, 923, 509. 57

Counsel for the defendant contend that the only rights of plaintiff in and to the reservation specified in the Treaty of July 3, 1868, which may be considered in arriving at the just compensation to which the tribe may be entitled because of a taking by the government of a one-half undivided interest in the reservation for the Arapahoe Indians were the rights to live upon the reservation, to use such materials thereon as might be necessary for building and farming purposes and for the purpose of carrying on farming operations thereon, and that no consideration whatsoever should be given by the court in fixing the amount of just compensation to any value existing in March 1878 for the value of land, as such, or for the timber or mineral content of the land. On this theory counsel contend that the value of the property rights taken was approximately 4 cents an acre, or $46,000, to which should be added 5 percent per annum. In the alternative, it is contended that, in any event, the value of the property rights of plaintiff tribe did not exceed $469,000, arrived at on the basis of $25 for each Arapahoe Indian, or $23,450 for the entire population of the tribe in March 1878 capitalized at 5 percent per annum. This total of $469,000 amounts to approximately 40 cents an acre for 1,171,770 acres. In support of the contention that the extent of the property rights of plaintiff tribe consisted merely of the right to live upon the reservation, counsel for the defendant rely upon the case of *United States* v. *Cook*, 19 Wall. 591, and subsequent cases involving the same or similar questions, namely, whether individual Indians upon a reservation had a right to cut and sell timber from the reservation and retain the proceeds and otherwise deal with the tribal property as a private owner might do. We shall discuss that case later in the opinion. It is also argued that the Supreme Court in the case at bar, 299 U. S. 476, affirmed the rule contended for by the government in the following language: "Confusion is likely to result from speaking of the wrong to the Shoshones as a destruction of their title. Title in the strict sense was always in the United States, though the Shoshones had the treaty right of occupancy, with all its beneficial incidents. *United States* v. *Creek Nation*, *supra*, p. 109. What those incidents are, it is needless to consider now. Cf. *United States* v. *Cook*, 19 Wall. 591; *Pine River Logging Co.* v. *United States*, 186 U. S. 279; *United States* v. *Paine Lumber Co.*, 206 U. S. 467." In that statement the court was discussing the contention of plaintiff tribe that the taking of their property occurred in March 1927 upon the passage of the Jurisdictional Act authorizing this suit to be brought, for the reason that this act destroyed their title to one-half of the reservation. We think it is clear that the court did not intend to hold as counsel for defendant now contend, but reserved the question of the character and extent of the property rights of an Indian tribe in and to a reservation specified and set apart by a treaty, inasmuch as the case was being remanded for consideration and determination of just compensation to which the plaintiff tribe was entitled as of March 1878. Following the quotation above mentioned, the court also said: "The right of occupancy is the primary one to which the incidents attach, and division of the right with strangers is an appropriation of the land *pro tanto*, in substance, if not in form." Article 2 of the Treaty of July 3, 1868, provided that the reservation in question "is set apart for the absolute and undisturbed use and occupation of the Shoshone Indians * * *; and the United States now solemnly agrees that no persons except those herein designated [the Shoshones] and authorized so to do, and except such officers, agents, and employees of the government as may be authorized to enter upon Indian reservations in discharge of duties enjoined by law, shall ever be permitted to pass over, settle upon, or reside in the territory described in this article for the use of said Indians, and henceforth they will and do hereby relinquish all title, claims, or rights in and to any portion of the territory of the United States except such as is embraced within the limits aforesaid." We are of the opinion that this right to "absolute and undisturbed use and occupation" of the reservation includes, as beneficial incidents, the net value of the land, including the net value of any timber or minerals within the boundaries of the reservation, and, so far as we have been able to ascertain, this view is consistent with the established policy of the government from the beginning of its dealings with the Indian tribes, the making of treaties providing reservations for them, and in the management of tribal lands and other affairs of the Indian tribes at least for several years prior to 1878 and at all times subsequent thereto. Reference to various treaties and cession agreements at very early dates when the government was endeavoring to locate all Indian tribes upon definitely defined reservations does not overcome

this conclusion. Instances can be found where commissioners dealing with Indian tribes secured agreements ceding lands for small amounts on a "per acre" basis, but, standing alone, these transactions indicate nothing more than that perhaps the Indian tribes concerned were paid or allowed much less than the amount to which they were really entitled. *Iowa Tribe of Indians* v. *United States*, 68 Ct. Cls. 585. Other transactions of a similar nature can be found where much larger amounts per acre were paid, and where, in arriving at the amounts paid to the Indian tribes concerned, consideration was given to the value of the land, as such, and all that went with it.

The nature of the Indian title has been discussed in many cases. In *Worcester* v. *State of Georgia*, 6 Pet. 515 (1832), the court said, "* * * Their right of occupancy has never been questioned, but the fee in the soil has been considered in the government. This may be called the right to the ultimate domain, but the Indians have a present right of possession."

Again, in *Mitchel* v. *United States*, 9 Pet. 711, 746 (1835), it was said:

> Indian possession or occupation was considered with reference to their habits and modes of life; their hunting-grounds were as much in their actual possession as the cleared fields of the whites; and their rights to its conclusive enjoyment in their own way and for their own purposes were as much respected, until they abandoned them, made a cession to the government, or an authorized sale to individuals. * * *
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> * * * it is enough to consider it as a settled principle that their right of occupancy is considered as sacred as the fee-simple of the whites.

In *Holden* v. *Joy*, 17 Wall. 211, 244 (1872), the court held as follows:

> Throughout, the Indians, as tribes or nations, have been considered as distinct, independent communities, retaining their original natural rights as the undisputed possessors of the soil, from time immemorial, subject to the conditions imposed by the discoverers of the continent, which excluded them from intercourse with any other government than that of the first discoverer of the particular section claimed. They could sell to the government of the discoverer, but they could not sell to any other governments or their subjects, as the government of the discoverer acquired, by virtue of their discovery, the exclusive preemption right to purchase, and the right to exclude the subjects of all other governments, and even their own, from acquiring title to the lands.
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> Enough has already been remarked to show that the lands conveyed to the United States by the treaty were held by the Cherokees under their original title, acquired by immemorial possession, commencing ages before the New World was known to civilized man. Unmistakably their title was absolute, subject only to the preemption right of purchase acquired by the United States as the successors of Great Britain, and the right also on their part as such successors of the discoverer to prohibit the sale of the land to any other governments or their subjects, and to exclude all other governments from any interference in their affairs.

In *United States* v. *Cook*, *supra* (1873), on which counsel for defendant rely, the controversy concerned the ownership of logs cut from the Oneida Indian Reservation in Wisconsin by a member of the tribe for the sole purpose of sale. In holding, as had always been held, and as was clearly stated in *Holden* v. *Joy*, *supra*, that the Indians in possession of a reservation had only a right of occupancy in the land, that the fee is in the United States, and that the Government had the power to manage the property and affairs of the tribe, the court decided that the members of the Oneida Tribe had no right to cut the timber on the land solely for the purpose of sale; that to do so was waste as in the case of the cutting of timber by a trespasser; and that the United States as the owner of the fee became the owner of the logs. In reaching its conclusion, the court said that "The right of the Indians to their occupancy is as sacred as that of the United States to the fee." Page 593. And further, that—

> This right of use and occupancy by the Indians is unlimited. They may exercise it at their discretion. If the lands in a state of nature are not in a condition for profitable use, they may be made so. If desired for the purposes of agriculture, they may be cleared of their timber to such an extent as may be reasonable under the circumstances. The timber taken off by the Indians in such clearing may be sold by them. But to justify any cutting of the timber, except for use upon the premises, as timber or its product, it must be done in good faith for the improvement of the land. The improvement must be the principal thing, and the cutting of the timber the incident only. Any cutting beyond this would be waste and unauthorized.
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> The timber, while standing, is a part of the realty, and it can only be sold as the land could be. The land cannot be sold by the Indians, and consequently the timber, until rightfully severed, cannot be. It can be rightfully severed for the purpose of improving the land, or the better adapting it to convenient occupation, but for no other purpose. When rightfully severed it is no longer a part of the land, and there is no restriction upon its sale. Its severance under such circumstances is, in effect, only a legitimate use of the land.

In that case two points were decided: first, it was decided by analogy to the law relating to the respective rights of life-tenant and remainder-man, that the Indians have no right to cut the timber on an Indian reservation for the purpose of sale only; that to do so is waste, and that the title to timber so cut vests in the United States as the owner of the fee or "ultimate domain"; second, that the Indians have an exclusive right of use and occupancy of *unlimited duration*, and the right to cut the standing timber *during the whole period of such occupancy* not only for use upon the premises but "for the purpose of improving the land or the better adapting it to convenient occupation"; also the right to sell all timber cut for the latter purpose. It is clear therefore that this decision did not hold that the government had the right to cut or dispose of the timber on Indian Reservations, or to sell Indian lands for its own use and benefit without accounting therefor to the Indian tribe. When a reservation is definitely set apart for an Indian tribe by treaty or statute, the Government has only the right and power to control and manage the property and affairs of the Indians in good faith for their betterment, but, as stated by the court in *Shoshone Tribe of Indians* v. *United States*, 299 U. S. 476:

> Power to control and manage the property and affairs of Indians in good faith for their betterment and welfare may be exerted in many ways and at times even in derogation of the provisions of a treaty. *Lone Wolf* v. *Hitchcock*, 187 U. S. 553, 564, 565, 566. The power does not extend so far as to enable the Government "to give the tribal lands to others, or to appropriate them to its own purposes, without rendering, or assuming an obligation to render, just compensation * * *; for that 'would not be an exercise of guardianship, but an act of confiscation.'" *United States* v. *Creek Nation*, *supra*, p. 110, 113; * * *.

Government counsel argue here that *United States* v. *Cook*, *supra*, decided that the *interest* of the Indians in the reservation lands and timber thereon is that of a life-tenant and no more. In that case the court did say that "What a tenant for life may do upon the lands of a remainder-man the Indians may do upon their reservations, but no more." But in thus comparing the position of the Indian with that of a life-tenant for the purpose of stating what the Indians may or may not do on their reservations, we think the court did not intend definitely to hold that the *interest* of the Indians in the lands of their reservations is only that of a tenant for life. Such a holding would have been in conflict with the statement of the court after reviewing prior cases concerning the nature of Indian title, that the Indians have the right of use and occupancy of unlimited duration. We think also that the contention of counsel for defendant is inconsistent with the holding of the Supreme Court in the case at bar—that the power of the government to control and manage the property and affairs of the Indians in good faith for their betterment and welfare does not extend so far as to enable the government to give the land to others or to appropriate them to its own purposes.

The case of *Leavenworth, et al. R. R. Co.* v. *United States*, 92 U. S. 733, 742 (1875), arose under the Treaty of June 2, 1825, between the United States and the Osage Tribe of Indians; that treaty (7 Stat. 240) reserved for the occupancy of the Indians for an unlimited period a tract of land lying within the boundaries of what subsequently became the State of Kansas. By an act approved March 3, 1863 (12 Stat. 772), Congress granted to the State every alternate section of land on each side of a projected line of the railroad to aid in its construction. The state assigned the grant to the plaintiff in error. The line of the proposed railroad traversed part of the reservation of the Osage Indians. By a Treaty of January 21, 1867, the Indians ceded a part of their reservation to the government, including the part through which this railroad passed. The question before the court was whether the grant made by the Act of March 3, 1863, *supra*, included the interest of the United States in the sections of land contiguous to the railroad in the Osage Reservation. It was held that this could not have been intended for the reason, among others, that the interest of the United States was only an "ultimate fee", subject to a "perpetual right of occupancy" in the Indians, and, therefore, would have been of no immediate practicable benefit for the purpose of the grant. In discussing the nature of the Indian title, the court said:

> As long ago as in *Cherokee Nation* v. *Georgia*, 5 Pet. 1, this court said that the Indians are acknowledged to have the unquestionable right to the lands they occupy, until it shall be extinguished by a voluntary cession to the Government; and, recently, *United States* v. *Cook*, 19 Wall. 591, that right was declared to be as sacred as the title of the United States to the fee. * * * This *perpetual right of occupancy*, with the correlative obligation of the Government to enforce it, negatives the idea

that Congress, even in the absence of any positive stipulation to protect the Osages, intended to grant their lands to a railroad company, either absolutely or *cum onere*. *For all practical purposes, they owned it;* as the actual right of possession, the only thing they deemed of value, was secured to them by Treaty, until they should elect to surrender it to the United States. In the free exercise of their choice, *they might hold it forever;* and whatever changed this condition, or interfered with it, violated the guaranties under which they had lived. [Italics ours.]

See, also, *Beecher* v. *Wetherby*, 95 U. S. 517, 525, 526, and also 34 Ops. Atty. Gen. 171, 181, in which it was held, on the question whether the Indians' rights of occupancy and use included any right to the hidden and latent resources of land, as follows:

If a transfer by the United States would convey only the naked fee, it goes without saying that the *complete equitable property was in the Indians.* The earlier and fundamental decisions make this plain. In *Worcester* v. *Georgia*, 6 Pet. 515, 544, 545, Chief Justice Marshall clearly states that the right asserted in behalf of the discovering European nations was merely a right, *as against each other*, which he defines as "the exclusive right of purchasing such lands as the natives were willing to sell." As late as 1872 the Supreme Court said: "Unmistakably their title was absolute, subject only to the preemption right of purchase acquired by the United States as the successors of Great Britain, and the right * * * to prohibit the sale of the land *to* any other governments or their subjects" (*Holden* v. *Joy*, 17 Wall. 211, 244). [Italics ours.]

The position of counsel for the government is that this opinion of the Attorney General did not rule on the question of the Indians' rights in the natural resources of their reservations, but only expressed an inclination, as shown by the statement that "If it were necessary here to decide as between these opposing views I should incline strongly to the latter." This position is based, we think, on an erroneous interpretation of what the opposing views were to which the Attorney General referred. They were not whether in 1924 the Indian tribes had a mere right to use and occupancy or the equivalent of a fee-simple title to their reservation, but, as shown in the same paragraph of the opinion, they were whether the Indians' interest in the natural resources of their reservations was bestowed upon them by the grace of Congress or whether it was a preexisting right. P. 180. On either theory, the Indians at the time in question were the beneficial owners of these resources, and the Attorney General so held. Inasmuch as either theory supported his conclusion it was not necessary, as he said, to decide between them, but he expressed the clear preference for the view that the Indians' beneficial ownership of the natural resources of their reservations was a preexisting or treaty right, and that the acts of Congress merely recognized and confirmed it, adding, "Support for this view is found in many expressions of the courts", some of which, as we have seen, he then proceeded to cite. Pp. 180–181.

Again in an opinion relating to the rights in standing timber on lands of the White Mountain Apache Indian Reservation, a reservation created by Executive Order, which had been subsequently included in a forest reservation proclaimed by the President under authority of an act of Congress, the Attorney General, 29 Ops. A. G., 239, 244, said:

From the character of the legislation so passed in review,[1] there can be little doubt that in the mind and policy of Congress this reservation was not only a valid reservation set apart for the occupancy and enjoyment of the various tribes which have inhabited it from the beginning, and subject to be allotted in part to the individual members composing them, but was also *devoted to them in its entirety in such a sense that no part of it should be taken from them without their consent or giving something in return by way of compensation. And, of course, no distinction here is to be taken between the land and the timber growing upon it and, presumably, constituting its chief value.* (U. S. v. Cook, 19 Wall. 591.) [Italics ours.]

The decisions cited establish, first, that the Indians have the right of possession and absolute use and occupancy in perpetuity until voluntary abandonment, subject to the power of the United States to control and manage the property and affairs of the Indians for their betterment and welfare, and that the beneficial incidents of this right of perpetual possession and absolute use and occupancy consist of the net value of the land, including any timber or minerals upon the reservation. In other words, the beneficial interest belongs to the Indians. Second, that the United States has a naked fee and the right to the ultimate domain which gives it the right to prevent waste and to recover the proceeds of anything severed from the land by acts constituting

[1] The legislation referred to was as follows: The general allotment act of February 8, 1887, 24 Stat. 388, which was construed as validating (if there were any doubt) Indian reservations created by Executive order; and the Acts of February 20, 1893, 27 Stat. 469, and March 2, 1895, 28 Stat. 894, providing that the net proceeds from the sale of parts of the White Mountain Apache Indian Reservation, including the proceeds from timber, coal, and mineral lands, shall be deposited in the Treasury for the use and benefit of the Indians occupying the Reservation.

waste, and also the right to control alienation of the Indians' interest, but nothing more unless the Indians should abandon possession, in which event the right of possession would attach to the fee.

Acts of Congress relating to the disposition of Indian lands likewise recognize, we think, that the beneficial interest in the lands of an Indian reservation, including standing timber, mineral deposits, etc., belongs to the Indians.

Prior to the Act of March 3, 1883 (22 Stat. 582, 590), numerous acts of Congress relating to Indian lands dealt with each tribe separately. Prior to 1871 the disposition of Indian lands was handled by treaties and agreements made with the Indians by the executive department of the government subject to ratification by Congress. An examination and study of many cession agreements, made at very early dates in the history of the relationship between the Indian tribes and the government, disclose that scant consideration was given by the commissioners, acting on behalf of the government, to the actual value of the possessions of the Indians. As was said by this court in *Blackfeet Indians* v. *United States*, 81 C. Cls. 101, 136, that—

> Few, if any, Indian treaties disclose a bargain and sale of the Indians' lands upon the strict commercial basis observed in ordinary transfers of landed property. For this reason the court is firmly convinced that an established value applicable in all cases is not available to the parties as a precedent. Too many factors varying with respect to the case to be adjudicated enter into the issue to warrant the court in sustaining a fixed value upon the theory thatt he sum claimed is the same sum fixed in some prior litigation.

In 1863 and 1891 Indian lands were sold at $1.25 and $2.50 an acre. *Sisseton & Wahpeton Bands of Sioux Indians* v. *United States*, 58 C. Cls. 302. The annual report of the Secretary of the Interior for 1879, Serial 1910, page 454, shows the amounts received for the sale of Indian lands during the year ending June 30, 1879, as follows:

Name	Acres	Amount
Cherokee	80. 07	$100. 09
Sioux	12, 929. 08	16, 189. 34
Sac and Fox	2, 398. 15	8, 140. 51
Ote and Missouria	37, 777. 20	73, 718. 05
Pawnee	30, 383. 66	40, 751. 95
Osage ceded	15, 939. 00	112, 114. 98
Osage trust and diminished reserve	205, 709. 69	267, 165. 22
Cherokee strip	30, 400. 73	38, 001. 52
Winnebago	40. 00	120. 00
Shawnee absentee	80. 00	200. 00
Total	335, 737. 57	556, 501. 66

The above tabulation, which embraces a large area of land in ten Indian reservations located in several states, shows an average sales price of approximately $1.65 an acre.

From 1871 many acts were passed by Congress dealing with reservation lands of various Indian tribes. The Act of February 6, 1871, 16 Stat. 404, sections 1–4, relating to the lands of the Stockbridge-Munsee Tribe of Indians in the State of Wisconsin, provided for an appraisement and the sale of a portion of their reservation, including timber, the net proceeds of such sales to be paid to or deposited to the credit of the Indians. No instance is cited where the government, through either the Executive or Legislative Departments, ever took a position or expressed a definite policy that the rights and interests of Indian tribes in and to reservations described and given to them by treaties, acts of Congress, or Executive Order were other than the rights and interest of a beneficial owner prior or subsequent to 1871. The established course of conduct has been that the Indians were entitled to all net proceeds from lands, timber, etc., not as a gratuity but as of right. In other words, the position of the government and the Indian tribes has ever been that of the primary right of Indian tribes to the absolute and undisturbed use, occupancy, and possession of their reservations carried with it, as beneficial incidents, an interest in the lands, as such, and timber, etc., embraced within

the reservation, and the right to have the net proceeds derived from the control and management of their properties by the government held and used in good faith for their benefit, betterment, and welfare. It seems clear that no other conclusion is justified under the established principle that the United States stands in the position of guardian for the Indians and is without power to give the tribal lands to others or to appropriate them to its own purposes without payment of just compensation. *Shoshone Tribe of Indians* v. *United States, supra; United States* v. *Creek Nation*, 295 U. S. 103, 110; *Lane, et al.* v. *Pueblo of Santa Rosa*, 249 U. S. 110, 113; *Cherokee Nation* v. *Hitchcock*, 187 U. S. 294, 307–308. This consistent policy in the construction of Indian treaties was, prior to 1883, definitely expressed in specific acts of Congress relating to Indian reservations and the proceeds from resources thereon, and in 1883 (22 Stat. 582, 590), and subsequently, was expressed in acts of Congress of general application to all Indian reservations. Counsel for the defendant argue that these acts of Congress relating to lands, timber, etc., within the boundaries of Indian reservations, which acts in great number prior to 1883 concerned specific reservations, and thereafter applied to all Indian reservations generally, gave the Indians no greater property rights or interests in their reservations than they previously possessed or subsequently acquired by treaty or other method employed in setting apart a reservation for them. We agree in principle with this statement, but we cannot agree with the conclusion which counsel attempt to draw, namely, that these acts of Congress and the long-continued uniform practice of the government in its dealings with Indian tribes did not amount to a construction of Indian treaties and a recognition that, under a proper construction and in accordance with the intent and purpose of the parties, the Indian title of absolute and undisturbed use and occupancy carried with it an interest in the land and the net proceeds derived therefrom so long as they continued to hold, use, and occupy the reservation solemnly set apart for them by treaty. The right to any net proceeds derived from a reservation is, it seems to us, no more than a necessary incident to the property right of absolute and exclusive use and occupany which, it has been held, is a "perpetual right of occupancy", *Leavenworth, et al. R. R. Co.* v. *United States, supra; Spalding* v. *Chandler*, 160 U. S. 394, 402–403; and "as sacred as that of the United States to the fee", *United States* v. *Cook, supra.* Nor can we agree with counsel for the defendant in the further conclusion which they seek to draw from the same premise, i. e., that use and occupancy is only the right to live upon and cultivate the land, that the holding by the government in trust for the Indians and use for their exclusive benefit of all the net proceeds derived from the sale of Indian lands, timber, etc., and the products from Indian reservations constituted only the granting of a gratuity to the Indians which, if necessary, could be set up as a charge against the Indian tribe concerned. This last proposition advanced by counsel demonstrates, it seems to us, the weakness of the underlying premise that the Indian title consisted merely of the right to live upon a reservation. No attempt has ever been made to charge such funds against the Indians as reimbursable items or to include them as offsets in suits by the Indian Tribes to recover for reservation lands taken by the government. In the case at bar such proceeds amounted for the period 1885 to 1927 to $1,628,744.56, and we are giving plaintiff judgment for such portion of such funds as were taken and used for the benefit of the Arapahoe Indians. The guardianship of the Federal Government over an Indian does not cease when an allotment of land is made and the allottee becomes a citizen of the United States. *Bowling* v. *United States*, 233 U. S. 528. The Congress of the United States has undertaken from the earliest history of the government to deal with the Indians as dependent people, and to legislate concerning their property with a view to their protection as such. *Tiger* v. *Western Investment Co.*, 221 U. S. 286. No right which is actually conferred on the Indians can be arbitrarily abrogated by statute. *Choate* v. *Trapp*, 224 U. S. 665. The fact that Indians own property in fee simple and are citizens of the United States does not prevent the Congress having full power to legislate concerning the tribal property, and lands so held are still subject to the legislation of Congress enacted in the exercise of the government's guardianship over such Indian communities and their affairs. *Tiger* v. *Western Investment Co., supra. U. S.* v. *Sandoval*, 231 U. S. 28. But the ownership of the government or its interest in Indian lands, timber, etc., is, it seems to us, no greater than its right to use for its own purpose, or otherwise than for the benefit of the Indians concerned, any of the net proceeds derived from the sale of Indian lands,

timber, etc. It has been consistently held that the government is liable for any such proceeds which may have been appropriated to its own use or diverted to other purposes, and it has also been held that the Indians are the beneficial owners of treaty lands. In *United States* v. *Brindle*, 110 U. S. 688, 693 (1884), the court said: "These Indian trust lands were never public lands of the United States, and were never subject to sale at the Lecompton land office. The cessions to the United States were in trust, to survey, manage, and sell the lands and pay the net proceeds to or invset them for the Indians. There was never a time that the United States occupied any other position under the cessions than that of trustees, with power to sell for the benefit of the Indians. *In equity, under the operation of the treaties, the Indians continued, until sales were made, the beneficial owners of all their country ceded in trust. Of this we have no doubt.*" (Italics ours.) In *Iowa Tribe of Indians* v. *United States*, 68 C. Cls. 585, where, as here, the Indian title was a right of use and occupancy, and representations were made to the Indians by the commissioners of the United States in acquiring 219,803 acres of their lands for 38 cents an acre that they had but a limited and qualified interest (p. 594), which is the contention made by government counsel here, the court, at page 609, said:

> Without ascribing improper motives to the commissioners, the record at the very outset discloses an obvious and serious misconception of the Indians' title to their lands, and the making of representations to the Indians, calculated to inspire fear, which had absolutely no basis in law or in fact.

Counsel for defendant also point to a statement in the former opinion of this court in the case at bar, 82 C. Cls. 23, where, in discussing the interest of Indian tribes in reservation lands subsequent to the Act of March 3, 1883 (22 Stat. 582, 590), it was indicated that prior to that time the Indians were not the beneficial owners of the reservation lands. In that opinion we held that the taking occurred in 1891, and the statement was *dictum*. The reasons hereinbefore stated in this opinion demonstrate its inaccuracy.

Most of the prior opinions in cases brought to recover the value of Indian lands appear to have proceeded, in the determination of the value of the property rights taken, on the principle that the value of the ole and absolute right of use and occupancy was the value of the land, without otherwise discussing the nature and extent of the Indian title or defining the beneficial incidents which attach to the primary right of absolute use and occupancy. Thus, in the case of *The Ute Indians* v. *United States*, 45 C. Cls. 440, the court, after referring to the provisions of section 3 of the Ute Agreement of June 15, 1880 (21 Stat. 199), and quoting the Act of April 24, 1820 (3 Stat. 566), which fixed the minimum price of public lands at $1.25 an acre, said, at pp. 462 and 463:

> A similar question was involved in an appeal from this court to the Supreme Court in the case of United States v. Blackfeather (155 U. S. 180; 28 C. Cl. 447). In commenting upon the obligation of the United States to expose the lands in question at public sale, Mr. Justice Brown, in delivering the opinion of the Court, said:
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> "In the absence of any proof of the actual value of these lands at this time, there would seem to be no method of estimation except by taking the price at which public lands were subject to be sold at private sale, namely, $1.25 per acre. Not only is there some presumption that the Government would not sell them for less than they were worth, but the very fact that at that time all public lands were subject to entry at $1.25 per acre would render it impossible to sell them at a greater price unless by reason of their peculiar location, *abundant timber, or extraordinary fertility* they *were exceptionally valuable.*" (Id. 191.) [Italics supplied.]
>
> The average price at which the lands within the Ute reservation were sold between the date of the agreement (1880) and June 30, 1908, was $1.68 per acre. Presumably the choicest lands were selected by the purchasers. The forest reservations were set apart at different dates between 1891 and 1905. While it is doubtless true that considerable of the land within these forest reservations is quite valuable, on the other hand, the official reports show, and it is a fact so well known as to come within judicial notice, that considerable portions of them are valueless and can never be sold at any price.
>
> In view, therefore, of the law and the facts as stated, we have found the value of the lands thus set apart in forest reservations to be $1.25 per acre, amounting to $3,835,323.75 [covering 3,199,258 acres].

The title of the government in Indian lands, which has been designated as the "naked fee", is a sovereign title. The government has no landlord from whom it holds the "fee."

The interpretation of defendant's counsel of the Indians' "right of absolute use and occupancy" is too restricted. "A treaty with Indians must be construed not according to the technical meaning of its words to learned lawyers, but in the sense in which they would naturally be understood by the Indians." *Jones* v. *Meehan*, 175 U. S. 1, 11. The right of occupancy is the real ownership. It is the full title, or as much title, as, under our conception, any other than the sovereign usually holds. After the Treaty of July 3, 1868, the government had no real ownership of the Shoshone Reservation, but only the right to control and manage the property and affairs of the Shoshone Indians for their betterment and welfare, and a possibility of acquiring an ownership of the reservation lands. As held by the court in *California & Oregon Land Co.* v. *Worden*, 85 Fed. 94, 96 (1898), after discussing *United States* v. *Cook*, *supra*. "For all purposes, therefore, save only that of private sale, the Indians were in fact the owners of these lands. And this right, title, or interest has never been surrendered by them." Although Indians are under the protection of the general government, and are, of necessity, kept as a separate, subordinate, and independent people, *United States* v. *Lariviere*, 93 U. S. 188, and though dependent political communities, with whom the United States may deal only through treaties or Acts of Congress, Indians are in a dependent condition which cannot be put off without the consent of the United States. *Elk* v. *Wilkins*, 112 U. S. 94; nevertheless, it was held by the Supreme Court in *The Chippewa Indians of Minnesota* v. *United States*, 301 U. S. 358,375. "Our decisions, while recognizing that the government has power to control and manage the property and affairs of its Indian wards in good faith for their welfare, show that this power is subject to constitutional limitations and does not enable the government to give the lands of one tribe or band to another, or to deal with them as its own." From what has been said, it seems clear that the beneficial incidents attaching to the absolute right of possession, use, and occupancy were more than the mere right to live upon the lands and cultivate them. If the latter were the full extent of the Indians' interest, few, if any, Indian tribes could secure compensation for the taking of their lands, for in most, if not all, of such cases sufficient territory has been left to supply the Indians with a place to live and with farms as large as the adult Indians of the tribes were capable of cultivating. But we think it is clear that under a proper construction of the treaties this is not the measure of their right to compensation for treaty lands taken from them.

The next question concerns the value of a one-half interest in the lands of plaintiff taken for the Arapahoe Tribe. The contentions of the parties with reference to the value of a one-half interest in plaintiff's reservation taken for the Northern Arapahoe Indians in 1878 have already been stated. Upon the whole record and in the light of conditions existing in March 1878, when a one-half interest in the reservation was taken, we are of opinion that the value of the property rights of plaintiff in and to one-half of their reservation, taking into consideration the fact that the portion of the reservation on which the Arapahoe Indians was placed, namely, the eastern portion, from which the plaintiff tribe was thereafter excluded, and which has subsequently been allotted in severalty to the Arapahoe Indians, was $1,581,889.50, or at the rate of $1.35 an acre for 1,171,770 acres, being one-half of the Indian Reservation of 2,343,540 acres. The greater portion of the lands embraced within this reservation was very fertile and unusually well adapted to farming by reason of an adequate supply of water well situated for the use of irrigation purposes. The reservation also embraced a very large area of fine grazing land from which a large amount of income has been derived from grazing leases. The reservation contained more than a billion feet of excellent timber and portions of the reservation were underlaid with bituminous coal. It contained a large but undetermined quantity of oil and gas, and these conditions were known to exist in 1878. The 1926 present value of the oil reserves on the reservation were fixed by the government at $6,000,000.

Net income has been steadily derived from various sources on the reservation, and for the period from 1885 to 1927 net proceeds totaling $1,628,744.56 were derived from the reservation and deposited in the Treasury to the credit of the plaintiff and the Arapahoe tribes of Indians. This amount does not include any portion of the amounts paid for lands ceded. In 1872 plaintiff tribe ceded 700,642 acres of their reservation

from which private parties had, without the consent of the government or plaintiff, mined gold to the value of $500,000. The consideration offered by the government's commissioner appointed to negotiate for the cession, and included in the cession agreement, was $27,500. This government commissioner drove a hard bargain with the Indians, and he so stated in returning the cession agreement to the government. Obviously the consideration paid was inadequate, but, as stated in the previous opinion in this case, the agreement having been made and ratified, and the consideration paid, the matter is not now before the court. In making that agreement no consideration was given to the value of the property rights of the Indians or to the value of the land. The transaction is obviously of no value in the determination of the value of the property rights of plaintiff in one-half of the entire reservation taken in March 1878. Cession agreements of this character, negotiated and brought about in the manner in which the one in 1872 was obtained, are not helpful in arriving at the net value of Indian lands, for in most, if not all, of such agreements negotiated and obtained at an early date the lands were secured for an amount which the Indians could be induced to take rather than for an amount based upon what their property rights were really worth. *Iowa Tribe of Indians* v. *United States*, *supra*, p. 612. This is illustrated by the fact that under the 1872 cession agreement approximately three cents an acre was paid, and twenty years later another cession agreement was obtained to a portion of the reservation not nearly so valuable as that ceded under the 1872 agreement, nor as valuable as the remaining portions of the reservation, at a price of more than one dollar an acre.

The established prices at which the Federal Government sold agricultural, timber, and mineral lands in 1878 ranged from $1.25 an acre for desert land, tillable only under irrigation, to $20 an acre for coal lands. The lands embraced within the Shoshone Reservation, by reason of their peculiar location, abundant supply of water for irrigation purposes, and timber, and their extraordinary fertility, were especially valuable. As found by the Secretary of the Interior in 1878, "No part of the reservation can be considered valueless for all purposes." The facts concerning the character and location of the lands in question, their productiveness and capabilities, and their yield of profits to the Indians have been set forth in detail in the findings and need not be repeated here.

Prior to the controlling date in this case, a trusted representative of the government in its dealings with Indian tribes, with many years experience, and fully familiar with the reservations set apart for Indian tribes, reported that the Shoshone Indians "are rich in valuable land" and further stated, "I have visited many other reservations, but I have found none that excels or even equals the land in Big Wind, Little Wind, and Popo Agie Valleys." He also described the lands embraced within this reservation as "the finest grazing west of the Missouri." In arriving at the value on March 19, 1878, of the property rights of plaintiff tribe, which were taken on that date by the government for the Northern Arapahoe Tribe, we have taken into consideration and given due weight to the fact that the eastern portion of the reservation on which the Arapahoe Tribe was placed was the choicest portion and more valuable than the other farming and grazing lands of the reservation, and these lands were subsequently allotted to the Arapahoe Indians. The facts of record clearly support the net value of $1,581,889.50 for a one-half interest in plaintiff's reservation in 1878, and we have so found. Plaintiff is therefore entitled to recover this amount. In arriving at the net value of $1.35 an acre for 1,171,770 acres constituting a one-half interest in plaintiff's reservation we have, in addition to considering all factors affecting value, given consideration and due weight to well-known facts, which are also disclosed by this record—first, that large areas of Indian lands, if sold, are not disposed of and have never been sold as a whole, but usually in small or comparatively small tracts; second, that such lands if not sold are, and were in 1878, capable of returning to the Indians large annual net profits over a long period of time; third, that the timber and oil and gas rights, etc., are sold or leased separately from the lands, as such; fourth, that if sold the reasonable and necessary costs of surveying and selling the lands must be deducted from the gross proceeds.

In addition to this value, plaintiff's damages include an additional amount beyond the value of its property rights when taken by the government, which is necessary to the award of just compensation. The parties agree that such additional amount should be measured by interest at a reasonable rate on the value of the property rights taken in 1878 to the date of payment and from the total amount determined to be due at the date of judgment there should be deducted the total offset to which the government is held entitled. The government claims a total offset under its counterclaim of $2,141,070.75. In accordance with the findings and for the reasons therein stated, we have reduced the total of the defendant's counterclaim to $1,956,-233.68.

Plaintiff contends that the additional amount to be added to the value of the property in 1878 to make just compensation should be measured by interest at the rate of 7 percent per annum, which has been the statutory rate of interest in Wyoming since 1923. The statutory interest in that state was 12 percent prior to 1895 and 8 percent from that date until 1923.

The defendant insists upon the use of an interest rate of 5 percent, which we think, under all the circumstances, is reasonable and the rate that should be used in this case. Cf. *United States* v. *Creek Nation, supra.*

As a general rule, treaties, acts of Congress, and agreements have in practically every case in which interest is mentioned, provided for interest on funds held in trust by the government for the benefit of Indians at a rate of 5 percent per annum. There are a number of reasons which support the use of this rate in cases of this character, notwithstanding a higher rate was provided by state statutes and notwithstanding, also, the Act of February 26, 1931, 46 Stat. 1421, U. S. Code, 1934 Edition, Title 40, section 258 (a), provided an interest rate of 6 percent per annum in just compensation cases.

The field for investment by an Indian tribe was and is limited in the absence of an agreement to a deposit of the amount due the Indians in the Treasury of the United States and the payment thereon by the government of interest at the rate of 5 percent. The field for investment by citizens of funds received for property taken, and paid contemporaneously with the taking, is unlimited, and he is in a position and capable of taking full advantage of the local rate of interest. If, therefore, his money is not paid at the time of the taking, but later, the courts add to the value of his property at the time of taking an additional amount measured by interest, usually at 6 percent per annum, and, in some cases, a higher rate which he probably would have earned with his capital to the date of payment. We think a rate of 5 percent is reasonable between the parties here. The additional amount to which plaintiff is entitled to have added to the value of its property rights at the date of taking, computed as above to June 1, 1937, is $4,682,392.92. There is, therefore, due plaintiff on June 1, 1937, the total amount of $6,264,282.42 plus $100,395.49 (Finding 10), totaling $6,364,677.91.

Section 3 of the Act of March 3, 1927, under which this suit was brought, provides that the court shall hear, examine, and adjudicate any claims which the United States may have against plaintiff, that the government may plead as an offset against any amount determined to be due the tribe any payment made by the United States, including gratuities. The total payment, including gratuities made by the United States for the benefit of plaintiff, which we have determined to be a proper offset against the Shoshone Indians, is $1,956,233.68. The deduction of this amount from the amount of $6,364,677.91 due plaintiff leaves $4,408,444.23 for which judgment will be entered in favor of plaintiff with interest at 5 percent per annum on $1,581,889.50 from June 1, 1937, until date of payment. It is so ordered.

WILLIAMS, *Judge;* GREEN, *Judge;* and BOOTH, *Chief Justice,* concur.

WHALEY, *Judge,* dissents on the ground that the valuation placed on the land taken is excessive.

SUPREME COURT OF THE UNITED STATES

No. 668.—OCTOBER TERM, 1937

The United States, Petitioner, *vs.* Shoshone Tribe of Indians of the Wind River Reservation in Wyoming.

On Writ of Certiorari to the Court of Claims

[April 25, 1938]

[304 U. S. 111—82 Law Ed., 1213]

SYLLABUS

Indians, 52—Ownership of minerals and timber on reservation.

1. In determining the compensation to which an Indian tribe is entitled for the taking by the United States, without the tribe's consent, of reservation lands of which, under treaty, the tribe was to have "absolute and undisturbed use and occupation," the timber and mineral resources are properly to be taken into consideration, even though the legal title to the reservation is in the United States and the Indian right is a right of use and occupation.

Appeal, 1044—Resort to opinion to supplement findings.

2. On appeal from a determination of the Court of Claims its opinion may not be referred to for the purpose of eking out, controlling, or modifying the scope of the findings.

Indians, 28.—Treaties—construction—"absolute and undisturbed use and occupation."

3. The phrase "absolute and undisturbed use and occupation" in a treaty between an Indian tribe and the United States which provides that the tribe shall have "absolute and undisturbed use and occupation" of lands reserved, is to be read with other parts of the document, having regard to the purpose of the arrangement made, the relation between the parties, and the settled policy of the United States fairly to deal with Indian tribes.

Indians, 28—Treaties—construction—liberal interpretation.

4. Treaties between the United States and Indian tribes are not to be interpreted narrowly, as sometimes may be writings expressed in words of art employed by conveyancers, but are to be construed in the sense in which naturally the Indians would understand them.

Indians, 29.—Treaties—ambiguities to be resolved in favor of Indians.

5. In interpreting a treaty between the United States and an Indian tribe, any doubts as to the ownership of lands, or minerals or timber on lands reserved to the tribe, should be resolved in favor of the tribe.

Former decision distinguished.

6. *United States* v. *Cook*, 19 Wall. 591; 22 L. Ed. 210, distinguished.

Argued March 31 and April 1, 1938. Decided, April 25, 1938.

On writ of certiorari to the Court of Claims of the United States to review a judgment awarding compensation to the Shoshone Tribe of Indians of the Wind River Reservation for a part of its reservation taken by the United States. Affirmed.

See same case below, 85 Ct. Cls. 331.

Assistant Attorney General Carl McFarland, of Washington, D. C., argued the cause, and, with Solicitor General Jackson and Messrs. Oscar Provost and Raymond M. Kell, also of Washington, D. C., filed a brief for petitioner.

Messrs. George M. Tunison and Albert W. Jefferis, both of Omaha, Nebraska, argued the cause, and, with Mr. Charles J. Kappler, of Washington, D. C., filed a brief for respondent.

Mr. Justice BUTLER delivered the opinion of the Court.

The Shoshone Tribe brought this suit to recover the value of part of its reservation taken by the United States by putting upon it, without the tribe's consent, a band of Arapahoe Indians. The Court of Claims found the taking to have been in August, 1891, ascertained value as of that date, on that basis fixed the amount of compensation, and gave judgment accordingly. We held, 299 U. S. 476, that the court erred as to the date of the taking, declared it to have been March 19, 1878, reversed the judgment and remanded the case for further proceedings. Then the lower court proceeded to determine the value of the tribe's right at the time of the taking, and the amount to be added to produce the present worth of the money equivalent of the property, paid contemporaneously with the taking. It heard evidence, made additional findings, and gave plaintiff judgment for $4,408,444.23, with interest from its date until paid. This Court granted writ of certiorari. 303. U. S. 629.

The sole question for decision is whether, as the United States contends, the Court of Claims erred in holding that the right of the tribe included the timber and mineral resources within the reservation.

The findings show: The United States, by the treaty of July 2, 1863, set apart for the Shoshone Tribe a reservation of 44,672,000 acres located in Colorado, Utah, Idaho and Wyoming. By the treaty of July 3, 1868, the tribe ceded that reservation to the United States. And by it the United States agreed that the "district of country" 3,054,182 acres definitely described "shall be and the same is set apart for the absolute and undisturbed use and occupation of the Shoshone Indians * * *, and the United States now solemnly agrees that no persons," with exceptions not important here, "shall ever be permitted to pass over, settle upon, or reside in" that territory. The Indians agreed that they would make the reservation their permanent home. The treaty provided that any individual member of the tribe having specified qualifications, might select a tract within the reservation which should then cease to be held in common, and be occupied and held in the exclusive possession of the person selecting it, and of his family, while he or they continued to cultivate it. It declared: "* * * Congress shall provide for protecting the rights of the Indian settlers * * * and may fix the character of the title held by each. The United States may pass such laws on the subject of alienation and descent of property as between Indians, and on all subjects connected with the government of the Indians on said reservation, and the internal police thereof, as may be thought proper."

The treaty emphasized the importance of education; the United States agreed to provide a schoolhouse and teacher for every thirty children, and the tribe promised to send the children to school. The United States also agreed to provide instruction by a farmer for members cultivating the soil, clothing for members of the tribe, and a physician, carpenter, miller, engineer and blacksmith. It stipulated that no treaty for the cession of any portion of the reservation held in commou should be valid as against the Indians, unless signed by at least a majority of all interested male adults; and that no cession by the tribe should be construed to deprive any member of his right to any tract of land selected by him.

When the treaty of 1868 was made, the tribe consisted of full-blood blanket Indians, unable to read, write, or speak English. Upon consummation of the treaty, the tribe went, and has since remained, upon the reservation. It was known to contain valuable mineral deposits—gold, oil, coal and gypsum. It included more than 400,000 acres of timber, extensive well-grassed bench lands and fertile river valleys conveniently irrigable. It was well protected by mountain ranges and a divide, and was the choicest and best-watered portion of Wyoming.

In 1904 the Shoshones and Arapahoes ceded to the United States 1,480,000 acres to be held by it in trust for the sale of such timber lands, timber and other products, and for the making of leases for various purposes. The net proceeds were to be credited to the Indians. From 1907 to 1919 there were allotted to members of the tribes 245,058 acres.

The court's finding of the ultimate fact is: "The fair and reasonable value of a one-half undivided interest of the Shoshone or Wind River Reservation of a total of 2,343,540 acres, which was taken by the United States on March 19, 1878, from the Shoshone Tribe of Indians, for the Northern Arapahoe Tribe, was, on March 19, 1878, $1,581,889.50." That is $1.35 per acre for 1,171,770 acres, one-half of the reservation in 1878, at the time of taking. The United States does not challenge the principle or basis upon which the court determined the amount to be added to constitute just compensation.

The substance of the Government's point is that in fixing the value of the tribe's right, the lower court included as belonging to the tribe substantial elements of value, ascribable to mineral and timber resources, which in fact belonged to the United States.

It contends that the Shoshones' right to use and occupy the lands of the reservation did not include the ownership of the timber and minerals and that the *opinion* of the court below departs from the general principles of law regarding Indian land tenure and the uniform policy of the Government in dealing with Indian tribes. It asks for

reversal with "directions to determine the value of the Indians' right of use and occupancy but to exclude therefrom 'the net value of the lands' and 'the net value of any timber or minerals.' "

The findings are unambiguous; there is no room for construction. The opinion of the Court of Claims may not be referred to for the purpose of eking out, controlling, or modifying the scope of the findings. *Stone* v. *United States*, 164 U. S. 380, 383. *Luckenbach S. S. Co.* v. *United States*, 272 U. S. 533, 539–540. Cf. *American Propeller Co.* v. *United States*, 300 U. S. 475, 479–480.

In this case we have held, 299 U. S. 476, 484, that the tribe had the right of occupancy with all its beneficial incidents; that, the right of occupancy being the primary one and as sacred as the fee, division by the United States of the Shoshones' right with the Arapahoes was an appropriation of the land pro tanto; that although the United States always had legal title to the land and power to control and manage the affairs of the Indians, it did not have power to give to others or to appropriate to its own use any part of the land without rendering, or assuming the obligation to pay, just compensation to the tribe, for that would be, not the exercise of guardianship or management, but confiscation.

It was not then necessary to consider, but we are now called upon to decide, whether, by the treaty, the tribe acquired beneficial ownership of the minerals and timber on the reservation. The phrase "absolute and undisturbed use and occupation" is to be read, with other parts of the document, having regard to the purpose of the arrangement made, the relation between the parties, and the settled policy of the United States fairly to deal with Indian tribes. In treaties made with them the United States seeks no advantage for itself; friendly and dependent Indians are likely to accept without discriminating scrutiny the terms proposed. They are not to be interpreted narrowly, as sometimes may be writings expressed in words of art employed by conveyancers, but are to be construed in the sense in which naturally the Indians would understand them. *Worcester* v. *Georgia*, 6 Pet. 515, 582. *Jones* v. *Meehan*, 175 U. S. 1, 11. *Starr* v. *Long Jim*, 227 U. S. 613, 622–623.

The principal purpose of the treaty was that the Shoshones should have, and permanently dwell in, the defined district of country. To that end the United States granted and assured to the tribe peaceable and unqualified possession of the land in perpetuity. Minerals and standing timber are constituent elements of the land itself. *United States* v. *Cook*, 19 Wall. 591. *British-American Oil Co.* v. *Board*, 299 U. S. 159, 164–165. For all practical purposes, the tribe owned the land. Grants of land subject to the Indian title by the United States, which had only the naked fee, would transfer no beneficial interest. *Leavenworth, etc. R. R.* v. *United States*, 92 U. S. 733, 742–743. *Beecher* v. *Wetherby*, 95 U. S. 517, 525. The right of perpetual and exclusive occupancy of the land is not less valuable than full title in fee. See *Holden* v. *Joy*, 17 Wall, 211, 244. *Western Union Tel. Co.* v. *Penn. R. R. et al.*, 195 U. S. 540, 557.

The treaty, though made with knowledge that there were mineral deposits and standing timber in the reservation, contains nothing to suggest that the United States intended to retain for itself any beneficial interest in them. The words of the grant, coupled with the Government's agreement to exclude strangers, negative the idea that the United States retained beneficial ownership. The grant of right to members of the tribe severally to select and hold tracts on which to establish homes for themselves and families, and the restraint upon cession of land held in common or individually, suggest beneficial ownership in the tribe. As transactions between a guardian and his wards are to be construed favorably to the latter, doubts, if there were any, as to ownership of lands, minerals or timber would be resolved in favor of the tribe. The cession in 1904 by the tribe to the United States in trust reflects a construction by the parties that supports the tribe's claim, for if it did not own, creation of a trust to sell or lease for its benefit would have been unnecessary and inconsistent with the rights of the parties.

Although the United States retained the fee, and the tribe's right of occupancy was incapable of alienation or of being held otherwise than in common, that right is as sacred and as securely safeguarded as is fee simple absolute title. *Cherokee Nation* v. *State of Georgia*, 5 Pet. 1, 48. *Worcester* v. *State of Georgia, supra*, 580. Subject to the conditions imposed by the treaty, the Shoshone Tribe had the right that has always

been understood to belong to Indians, undisturbed possessors of the soil from time immemorial. Provisions in aid of teaching children and of adult education in farming, and to secure for the tribe medical and mechanical service, to safeguard tribal and individual titles, when taken with other parts of the treaty, plainly evidence purpose on the part of the United States to help to create an independent permanent farming community upon the reservation. Ownership of the land would further that purpose. In the absence of definite expression of intention so to do, the United States will not be held to have kept it from them. The authority of the United States to prescribe title by which individual Indians may hold tracts selected by them within the reservation, to pass laws regulating alienation and descent and for the government of the tribe and its people upon the reservation detracts nothing from the tribe's ownership, but was reserved for the more convenient discharge of the duties of the United States as guardian and sovereign.

United States v. *Cook*, *supra*, gives no support to the contention that in ascertaining just compensation for the Indian right taken, the value of mineral and timber resources in the reservation should be excluded. That case did not involve adjudication of the scope of Indian title to land, minerals or standing timber, but only the right of the United States to replevin logs cut and sold by a few unauthorized members of the tribe. We held that, as against the purchaser from the wrongdoers, the United States was entitled to possession. It was not there decided that the tribe's right of occupancy in perpetuity did not include ownership of the land or mineral deposits or standing timber upon the reservation, or that the tribe's right was the mere equivalent of, or like, the title of a life tenant.

The lower court did not err in holding that the right of the Shoshone Tribe included the timber and minerals within the reservation.

Affirmed.

Mr. Justice STONE and Mr. Justice CARDOZO took no part in the consideration or decision of this case.

Mr. Justice REED dissents.

VALIDITY OF THE FORT LARAMIE TREATY OF SEPTEMBER 17, 1851[1]

COURT OF CLAIMS OF THE UNITED STATES

(Decided Dec. 1, 1930—71 Ct. Cls., 308.)

THE INDIANS OF THE FORT BERTHOLD INDIAN RESERVATION IN THE STATE OF NORTH DAKOTA, COMPRISING THE TRIBES KNOWN AS THE ARICKAREES, THE GROS VENTRES, AND THE MANDANS, AND THE INDIVIDUAL MEMBERS THEREOF, v. THE UNITED STATES. No. B–449

Mr. Charles H. Merillat for the plaintiffs. *Mr. Charles J. Kappler* was on the briefs.

Mr. George T. Stormont, with whom was *Mr. Assistant Attorney General Herman J. Galloway*, for the defendant.

This cause having been heard by the Court of Claims on the evidence adduced, the court makes the following

SPECIAL FINDINGS OF FACT

I

This suit is brought under a special jurisdictional act, approved February 11, 1920 (41 Stat. 404), which provides as follows:

Whereas the Indians of the Fort Berthold Indian Reservation in the State of North Dakota, including the tribes known as the Arickarees, the Gros Ventres, and the Mandans, and the individual members of such tribes, make claim against the United States on account of various treaty provisions, which, it is alleged, have not been compiled with, and on account of various encroachments upon the appropriation by said Government of territory of said tribes and Indians: Therefore

[1] See United States *v.* Northern Pacific Railway Co., decided by Supreme Court December 16, 1940, 311 U. S.

Be it enacted, [*&c,*] That all claims of whatsoever nature which any or all of the tribes of Indians of the Fort Berthold Reservation, North Dakota, may have against the United States, which have not heretofore been determined by the Court of Claims, may be submitted to the Court of Claims, with the right of appeal to the Supreme Court of the United States by either party, for determination of the amount, if any, due said tribes from the United States under any treaties, agreements, or laws of Congress, or for the misappropriation of any of the funds of said tribes, or for the failure of the United States to pay said tribe any money or other property due; and jurisdiction is hereby conferred upon the Court of Claims, with the right of either party to appeal to the Supreme Court of the United States, to hear and determine all legal and equitable claims, if any, of said tribe against the United States, and to enter judgment thereon.

SEC. 2. That if any claim or claims be submitted to said courts, they shall settle the rights therein, both legal and equitable, of each and all the parties thereto, notwithstanding lapse of time or statutes of limitation, and any payment which may have been made upon any claim so submitted shall not be pleaded as an estoppel, but may be pleaded as an offset in such suits or actions, and the United States shall be allowed credit for all sums heretofore paid or expended for the benefit of said tribe or any band thereof. The claim or claims of the said tribes or band or bands thereof may be presented separately or jointly by petition, subject, however, to amendment, suit to be filed within five years after the passage of this Act; and such action shall make the petitioner or petitioners party plaintiff of [*sic*] plaintiffs and the United States party defendant, and any band or bands of said tribe the court may deem necessary to a final determination of such suit or suits may be joined therein as the court may order. Such petition, which shall be verified by a petitioner or an attorney employed by said petitioner, tribes of any bands thereof, shall set forth all the facts on which the claims for recovery are based, and said petition shall be signed by the attorney or attorneys employed, and no other verifications shall be necessary. Official letters, papers, documents, and public records, or certified copies thereof, may be used in evidence, and the departments of the Government shall give access to the attorney or attorneys of said tribe or bands thereof to such treaties, papers, correspondence, or records as may be needed by the attorney or attorneys for said tribes or bands of Indians.

SEC. 3. That upon the final determination of such suit, cause, or action the Court of Claims shall decree such fees as it shall find reasonable to be paid the attorney or attorneys employed therein by said tribe or bands of Indians, under contracts negotiated and approved as provided by existing law, and in no case shall the fee decreed by said Court of Claims be in excess of the amounts stipulated in the contracts approved by the Commissioner of Indian Affairs and the Secretary of the Interior, and no attorney shall have a right to represent the said tribe or any band thereof in any suit, cause, or action under the provisions of this act until his contract shall have been approved as herein provided. The fees decreed by the court to the attorney or attorneys of record shall be paid out of any sum or sums recovered in such suits or actions, and no part of such fee shall be taken from any money in the Treasury of the United States belonging to such tribes or bands of Indians in whose behalf the suit is brought unless specifically authorized in the contract approved by the Commissioner of Indian Affairs and Secretary of the Interior as herein provided: *Provided,* That in no case shall the fees decreed by said court amount to more than 10 per centum of the amount of the judgment recovered in such case.

II

A petition under the provisions of the foregoing act was filed in this court July 31, 1924.

III

The plaintiff tribes during the period hereinafter referred to were blanket Indians, illiterate, unskilled, and not advanced in civilization; few, if any, could speak or understand the English language. They were uninformed and had no knowledge of the units of measure of land, or understanding of the technical description of a tract of land except in terms of natural boundaries.

IV

Following the discovery of gold on the Pacific coast, travel across the plains and through the country exclusively occupied by the plaintiff tribes increased greatly and caused great destruction of the buffalo and game, the chief means of livelihood of the plains and mountain Indians, and the grass and timber in the region traversed, occasioned serious resentment among the Indians in occupancy of the land, who considered themselves entitled to compensation for the right of way through the territory claimed by them, and also for the destruction of the buffalo, game, etc.

Prior to the year 1851 costly Indian wars had been experienced. The defendant was desirous of promoting peace among the various tribes and securing their friendship and the safe transit of emigrants over the plains.

To this end, an appropriation was made by Congress February 27, 1851 (9 Stat. 572), to defray "the expenses of holding treaties with the wild tribes of the prairie, and for bringing delegates on to the seat of Government." In compliance with the provisions of the said act the President appointed D. D. Mitchell, Superintendent of Indian

Affairs, and Thomas Fitzpatrick, Indian agent, as commissioners to conduct the authorized negotiations. The commissioners were instructed that the Indians with whom the negotiations were to be held were "entirely ignorant of their position and relation to the Government," and should be made to understand the policy to be pursued by the Government towards them; that—

> A paramount objective will be . . . to define by treaty stipulations what is and will be the reciprocal obligations existing between them and the Government and our citizens.

It was further stated:

> A portion of the tribes own or claim the country through which the inland routes pass to Oregon, California, Utah, and New Mexico. Our emigrants make free use of the grass and timber on the routes, and not only destroy much game but disturb and scatter it so as materially to interfere with the success of the Indians in their hunting expeditions, by which they procure their only means of subsistence. For the unrestricted right of way through the country and for the other advantages enjoyed and the injuries committed by the emigrants the Indians consider themselves entitled to a reasonable compensation, and have for some time been led to expect it by the promises which have been made on the authority of the Government. * * * Justice and good policy, therefore, alike require that such compensation be made to the Indians as will satisfy their reasonable expectations and conciliate their good will.

It was added:

> It is important, if practicable, to establish for each tribe some fixed boundaries within which they should stipulate generally to reside, and each should agree not to intrude within the limits assigned to another tribe without its consent. If in arranging such boundaries there should be a portion of country not included where it has been their habit to go periodically in pursuit of game, it should be recognized as a neutral ground, where all will enjoy equal privileges and have no right to molest or interfere with one another.

In due course the following tribes of Indians assembled at Fort Laramie, Wyoming, to negotiate with the commissioners of the United States, the Sioux of the Missour, River country, the Assinaboins, Gros Ventres, Mandans, Arickarees, Crows, Shoshonesi Cheyennes, and Arapahoes, comprising all the important tribes of the Great Plains and eastern Rocky Mountains. A peace treaty was signed September 17, 1851 (11 Stat. 749), to which the United States was party of the first part and the assembled Indian tribes parties of the second part, except the Shoshones, whom the commissioners did not consider were embraced within the terms of their authority. In the report by the defendant's commissioners dated November 11, 1851, it was stated that "the most important provisions" in the treaty were—

> 1. The right * * * granted * * * to the United States to establish roads, military and other posts through the Indian country, so far as they claim or exercise ownership over it.
> 2. The solemn obligation * * * to maintain peaceful relations among themselves and to abstain from all depredations upon whites passing through the country, and to make restitution for any damage or loss that a white man shall sustain by the acts of their people.
> 3. The settling up of all former complaints * * * for the destruction of their buffalo, timber, grass, caused in passing of the whites through their country; * * *
> 4. The promise of annuity of $50,000 for 50 years * * *.

And further, that—

> The laying off of the country into geographical, or rather national domains, I regard as a very important measure, inasmuch as it will take away a great cause of quarrel among themselves, and at the same time enable the Government to ascertain who are the depredators, should depredations hereafter be committed. The accompanying map, from which these national boundaries are clearly marked and defined, was made in the presence of the Indians, fully approved and sanctioned by all * * * having the treaty in all its provisions, I am clearly of the opinion that it is the best that could have been made for both parties. I am moreover of the opinion that it will be observed and carried out in as good faith on the part of the Indians as it will on the part of the United States and the white people thereof. There was an earnest solemnity and deep conviction of the necessity of adopting some such measures evident in the conduct and manners of the Indians throughout the whole council.

V

The treaty of Fort Laramie, dated September 17, 1851 (11 Stat. 749), is as follows:

> Articles of a treaty made and concluded at Fort Laramie, in the Indian Territory, between D. D. Mitchell, Superintendent of Indian Affairs, and Thomas Fitzpatrick, Indian agent, commissioners specially appointed and authorized by the President of the United States, of the first part, and the chiefs, headmen, and braves of the following Indian nations, residing south of the Missouri River, east of the Rocky Mountains, and north of the lines of Texas and New Mexico, viz., the Sioux or Dahcotahs, Cheyennes, Arapahoes, Crows, Assinaboines, Gros Ventres, Mandans, and Arickarees,

parties of the second part, on the seventeenth day of September, A. D., one thousand eight hundred and fifty-one.

ARTICLE 1. The aforesaid nations, parties to this treaty, having assembled for the purpose of establishing and confirming peaceful relations amongst themselves, do hereby covenant and agree to abstain in future from all hostilities whatever against each other, to maintain good faith and friendship in all their mutual intercourse, and to make an effective and lasting peace.

ARTICLE 2. The aforesaid nations do hereby recognize the right of the United States Government to establish roads, military and other posts, within their respective territories.

ARTICLES 3. In consideration of the rights and privileges acknowledged in the preceding article, the United States bind themselves to protect the aforesaid Indian nations against the commission of all depredations by the people of the said United States, after the ratification of this treaty.

ARTICLE 4. The aforesaid Indian nations do hereby agree and bind themselves to make restitution or satisfaction for any wrongs committed, after the ratification of this treaty, by any band or individual of their people, on the people of the United States, whilst lawfully residing in or passing through their respective territories.

ARTICLE 5. The aforesaid Indian nations do hereby recognize and acknowledge the following tracts of country, included within the metes and boundaries hereinafter designated, as their respective territories, viz:

The territory of the Sioux or Dahcotah Nation, * * *

The territory of the Gros Ventre, Mandan, and Arickaree Nations, commencing at the mouth of the Heart River; thence up the Missouri River to the mouth of the Yellowstone River; thence up the Yellowstone River to the mouth of Powder River in a southeasterly direction to the headwaters of the Little Missouri River; thence along the Black Hills to the head of Heart River; and thence down Heart River to the place of beginning.

The territory of the Assinaboin Nation. * * *

The territory of the Blackfoot Nation. * * *

The territory of the Crow Nation. * * *

The territory of the Cheyennes and Arapahoes. * * *

It is, however, understood that, in making this recognition and acknowledgment, the aforesaid Indian nations do not hereby abandon or prejudice any rights or claims they may have to other lands; and further, that they do not surrender the privilege of hunting, fishing, or passing over any of the tracts of country heretofore described.

ARTICLE 6. The parties to the second part of this treaty having selected principals or head chiefs for their respective nations, through whom all national business will hereafter be conducted, do hereby bind themselves to sustain said chiefs and their successors during good behavior.

ARTICLE 7. In consideration of the treaty stipulations, and for the damages which have or may occur by reason thereof to the Indian nations, parties hereto, and for their maintenance and the improvement of their moral and social customs, the United States bind themselves to deliver to the said Indian nations the sum of fifty thousand dollars per annum for the term of ten years, with the right to continue the same at the discretion of the President of the United States for a period not exceeding five years thereafter, in provisions, merchandise, domestic animals, and agricultural implements, in such proportions as may be deemed best adapted to their condition by the President of the United States, to be distributed in proportion to the population of the aforesaid Indian nations.

ARTICLE 8. It is understood and agreed that should any of the Indian nations, parties to this treaty, violate any of the provisions thereof, the United States may withhold the whole or a portion of the annuities mentioned in the preceding article from the nation so offending, until, in the opinion of the President of the United States, proper satisfaction shall have been made.

The Blackfoot Nation did not reach Fort Laramie in time to take part in the treaty negotiations nor to execute the treaty. They subsequently made a separate treaty in harmony with the foregoing.

VI

The treaty of Fort Laramie of September 17, 1851, was approved by the Senate May 24, 1852, after amending article 7, as provided above, by reducing the period of annual payments from 50 to 10 years with authority, in the discretion of the Executive, to extend its terms for an additional period of 5 years.

The treaty as modified was returned to the tribes concerned and the assent of all was in due course secured. Due to an administrative oversight the treaty was never formally proclaimed. However, Congress thereafter made annual appropriations to carry its terms into effect.

VII

Owing to the failure of the formality of proclaiming and establishing the treaty of Fort Laramie, the defendant's administrative officials erroneously assumed that it had not been ratified; that its provisions were not binding upon the defendant Government and that the plaintiffs were not possessed of any property or reservation rights. Instructions to this effect were given, by defendant's officials in answer to inquiries relative to the administration of plaintiff's affairs and in connection with the disposition of plaintiffs' appeals and complaints concerning encroachments and depredations on their land.

VIII

Following the outbreak of the War of Rebellion of 1862, many of the tribes west of the Mississippi, but not including the plaintiffs, resumed their hostilities. Frontier settlements were attacked, communications between the Mississippi Valley and the Pacific coast were interrupted and emigrant trains were attacked and destroyed. In 1865 military operations against the offending tribes were pushed with vigor, with the result that the warring tribes sued for peace. A commission was in due course appointed by the President and proceeded to the regions of the upper Arkansas and upper Missouri to negotiate treaties of peace.

Under date of July 12, 1866, a treaty was negotiated with the plaintiffs, but never ratified by Congress by the terms of which the plaintiffs stipulated to grant defendant the right to lay out and construct roads, highways and telegraphs through "their country" and to cede to the defendant certain lands situated on the northeast side of the Missouri River. In consideration of the foregoing, the provisions contemplated a payment by the defendant of $20,000 annually for twenty years to the plaintiff tribes.

IX

Under the provisions of an Executive order dated August 18, 1868, there was established, within the boundaries of the plaintiffs' territory as described in the treaty of Fort Laramie, the Fort Buford Reservation, comprising 98,645.67 acres.

X

Owing to the uncertainty in the minds of the defendant's officers of the validity and effect of the Treaty of Fort Laramie and of the existence of reservation rights in the plaintiff tribes, the major general commanding the military department of Dakota, under date of July 21, 1869, reported to his superior that he had visited the Indians at Fort Berthold; had had a council with them and had received complaints from them that white men were coming on their land at Berthold and cutting the wood for sale to the steamboats; that he had told the Indians that he did not know whether they had a reservation or not; that if they had, they should be protected in their rights; that he had promised to report the matter; and that he had instructed the commanding officer at Fort Stevenson to examine the country around Berthold and to recommend what portion should be set off for them. This report was forwarded through official channels to the Commissioner of Indian Affairs. The commissioner in reply, under date of August 16, 1869, advised the military commander of the department of Dakota of the "boundaries of the reservation for the Gros Ventres, Arickarees, and Mandans," as set out in the treaty of Fort Laramie of September 17, 1851; and of the provisions of the unratified treaty of July 27, 1866, and added that "there are no treaty stipulations with these Indians relative to a reservation for them, which have been ratified."

On September 25, 1869, the commanding officer at Fort Stevenson, in compliance with orders duly given, reported that he had consulted the best guides and had obtained all available information, in addition to his own examination as far as it was practicable in regard to a reservation for the Arickaree, Gros Ventre, and Mandan Indians; that he had had an interview with the chiefs of the three tribes; had read to them the communication from the Commissioner of Indian Affairs, forwarded by the commanding general of the department, and had "proposed to them the following reservation, * * *:"

From a point on the Missouri River four miles above [below] the Indian village of Berthold in a NE. direction three miles (so as to include the wood and grazing around the village), from this point a line to run so as to strike the Missouri River at the junction of Little Knife River with it, thence along the left bank of the Missouri River, to the mouth of the Yellowstone River along the south bank of the Yellowstone River to the Powder River, up the Powder River to where the Little Powder River unites with it, thence in a direct line across to the starting point four miles above [below] Berthold.

He further reported that the Indians desired that the reservation should extend to Mouse River, 75 or 100 miles north of the Missouri River, but that he explained to the Indians why this could not be done, which explanation satisfied them; and that in

the proposed reservation he had endeavored to give them land enough to cultivate and for hunting and grazing purposes.

This report was forwarded to the Commissioner of Indian Affairs and by him to the Secretary of the Interior, with a recommendation that the reservation as proposed be set apart by Executive order. The recommendation was laid before the President on April 12, 1870, with a recommendation of adoption, and on the same date the President issued the following order:

WASHINGTON, D. C., *April 12, 1870.*

Let the lands indicated in the accompanying diagram be set apart as a reservation for the Arickaree, Gros Ventre, and Mandan Indians, as recommended in the letter of Secretary of the Interior of the 12th instant.

U. S. GRANT.

The reservation thus established formed part of the territory claimed by the plaintiff Indians in the Fort Laramie treaty, with the addition of a strip of land on the east (or north) bank of the Missouri River from the Indian village to the mouth of Little Knife River.

XI

Under the provisions of an act of July 2, 1864 (13 Stat. 365), amended by joint resolution of May 31, 1870 (16 Stat. 378), the Northern Pacific Railroad Co. was incorporated and authorized to build a railroad from St. Paul, Minnesota, to the Pacific coast, and in aid of construction the defendant granted to the railroad company every alternate section of public land along the line of its road. Section 2 of the same act made provision for the extinguishment of Indian title to whatever lands were held by Indians in the said grant. The line of the Northern Pacific Railroad ran through the lands of the plaintiff as described by the treaty of Fort Laramie.

XII

On June 23, 1878, the officials of the Northern Pacific Railroad Company formally advised the Commission of Indian Affairs that the Missouri division of the railroad, then under construction, ran through the reservation of the Arickaree, Gros Ventre, and Mandan Indians, as established by the Executive order of April 12, 1870; that the lands granted by Congress in aid of construction of the railroad, to a considerable extent, embraced the reservation of the said tribes and requested that the plaintiff's reservation be so altered by Executive order and the Indian title extinguished as soon as possible so as to free the grant to the railroad company from any claim of title.

XIII

On July 9, 1879, the Commissioner of Indian Affairs reported to the Secretary of the Interior, with reference to the request of the officials of the Northern Pacific Railroad Co.:

In view of the fact that the existence, in their present form, of these reservations is a bar to the settlement and development of a large portion of two of our most important territories and it appearing upon investigation that outside of hunting purposes the Indians have no particular use for the same, and considering also the opinions advanced by military officers upon the subject, I am of the opinion that a reduction of both reservations, to the extent hereinafter suggested, may be made without detriment to the service and with material advantage to the country locally and at large.

It was recommended that the reservation be reduced by the boundaries therein suggested and as described in the next finding, and that in lieu of the Indian lands thus restored to the public domain there be added to the Fort Berthold Reservation by Executive order certain described lands bordering on the north bank of the Missouri River.

XIV

In compliance with the foregoing recommendations, under date of July 13, 1880, the President by Executive order directed that a portion of the reservation set up in the Executive order of April 12, 1870, "be restored to the public domain", to wit:

Beginning at a point where the northern forty-mile limit of the grant to the Northern Pacific Railroad intersects the present southeast boundary of the Fort Berthold Indian Reservation; thence

westerly with range line of said forty-mile limit to its intersection with range line, between ranges 92 and 93, west of the fifth principal meridian; thence north along said range line to its intersection with the south bank of the Little Missouri River; thence northwesterly along and up the south bank of the said Little Missouri River, with the meanders thereof to its intersection with the range line between ranges 96 and 97 west of the fifth principal meridian; thence westerly in a straight line to the southeast corner of the Fort Buford military reservation; thence west along the south boundary of said military reservation to the south bank of the Yellowstone River, the present northwest boundary of the Fort Berthold Indian Reservation; thence along the present boundary of said reservation to the south bank of the Yellowstone River to the Powder River; thence up the Powder River to where the Little Powder River unites with it; thence northeasterly in a direct line to the point of beginning.

It was also ordered that further described territory "should be withdrawn from sale and set apart for the use of the Arickaree, Gros Ventre, and Mandan Indians as an addition to their present reservation," to wit:

Beginning on the most northeasterly point of the present Fort Berthold Indian Reservation (on the Missouri River); thence North to the township line between townships 58 and 59 N.; thence West along said township lines to its intersection with the White Earth River; thence down the said White Earth River to its junction with the Missouri River; thence along the present boundary of the Fort Berthold Indian Reservation and the left bank of the Missouri River to the mouth of the Little Knife River; thence southeasterly in a direct line to the point of beginning.

XV

Under date of December 14, 1886, a treaty was entered into on the part of the plaintiff tribes and the defendant, under the provisions of which the plaintiffs ceded to the defendant

All their right, title, and interest in and to the land north of the 48 parallel N. latitude and west of a north and south line six miles W. of the most westerly point of the big bend in the Missouri River, south of the 48 north latitude, in consideration of the payment of $80,000 for ten years and the allotment to the members of the plaintiff tribes from the diminished reservation of the following parcels of land, to wit:

160 acres to each head of family.
80 acres to each single person over 18.
80 acres to each orphan under 18.
40 acres to each person under 18.

Other provisions were incorporated relative to the creation of a trust for a period of 25 years and otherwise safeguarding the property rights of the members of the plaintiff tribes.

The foregoing treaty was duly ratified March 3, 1891 (26 Stat. 1032), and its provisions were in due course carried into effect.

XVI

Under date of June 17, 1892, the President, by Executive order withdrew from sale and settlement and set apart as an addition to the reservation all that portion of township 147 N., range 87 west, lying north of the Missouri River in the State of North Dakota, not included in the Fort Stevenson Military Reservation.

XVII

Following the execution of the Treaty of Fort Laramie the plaintiff tribes faithfully observed its provisions, committed no depredations and took no part in tribal wars; they permitted the whites to travel through their country without molestation, and submitted all complaints of violation by others of their treaty rights to the Indian agents and other officials of the defendant.

On numerous occasions, prior to the execution of the treaty of September 14, 1886, authorized spokesmen of the plaintiff tribes reiterated the complaint that since the making of the Treaty of Fort Laramie they had done nothing wrong; that their enemies, disregarding the provisions of the treaty, had made war upon them, in some instances killing their young men and stealing their horses, and that, in accord with the provisions of the treaty, appeals had been made to the defendant's representatives to effect redress, but that nothing had ever been done.

In numerous instances, in the annual reports of Indian agents in charge of the plaintiff tribes, and of the Commissioner of Indian Affairs it was stated, in substance,

that the plaintiff tribes were peaceable, reliable, and honest; that they had many complaints of depredations suffered by them at the hands of other tribes, parties to the treaty of Fort Laramie; that these marauding parties had invaded plaintiffs' territory, destroyed their crops, had stolen their horses and that they demanded that they be accorded their treaty rights at the hands of the defendant Government, or that they be supplied with more ammunition, rather than so many blankets, etc.; rifles rather than shot guns, so that they would be able to repel the invading marauders and could hunt the buffalo, the elk and deer; that they had complained that the annuities provided for under the treaty of Fort Laramie were irregularly sent to them, were uncertain in quantity, varying in amount from year to year; that they had not rec ived all that was sent to them; that greater quantities of food and ammunition were supplied to the Sioux and other marauding tribes who had thereafter been allowed to invade the plaintiffs' territory to rob and kill; and that such treatment was unjust and not in accord with the provisions of the treaty of Fort Laramie.

On many occasions the defendant's officials, in charge of the administration of the plaintiffs' affairs, expressed their doubt as to the validity and effect of the provisions of the treaty of 1851, and their doubt of any recognition by the defendant of the existence of a reservation or property right in the plaintiff tribes, to the territory described in the treaty of 1851, and on occasions advised the members of the plaintiff tribes of such opinion. In this circumstance "White Shield," chief of the Arickarees, stated to the defendant's agents in a council held on July 2, 1864

> We own the country from the Heart River to the Black Hills, from there to the Yellowstone River, north to the Mouse River * * *. Our Great Father has promised us soldiers to help us keep the Dakotas out of our country. No help has come yet * * *. We want to live in our country or have pay for it, as our Great Father used to do with his other red children * * *.

XVIII

Under date of November 15, 1864, the Commissioner of Indian Affairs reported the foregoing to the Department of the Interior and added that the plaintiffs were anxious that new treaties should be made with them; that they "own large tracts of land South of the Missouri River which they would cede to the United States and go upon a reservation."

Under date of October 29, 1870, the Governor of the Dakota Territory, ex officio Supt. Ind. Affrs., in a report to the commissioner of Indian Affairs at Washington, referred to the efforts then being made by the chief engineer of the Dakota division of the Northern Pacific Railroad to effect "the location of that road through the lands which have been regarded by the Indians" of the Fort Berthold Reservation Agency "as belonging to them," and added that under date of September 29, 1869, the chiefs of the three tribes had addressed a letter to General Hancock, in which they stated "that this reservation was agreed upon 'many years ago' between them and 'commissioners * * *'" and that

> Since the signing of the treaty we have faithfully performed our part of the stipulation, and our Great Father at Washington must have been satisfied with our reservation within the limits mentioned, when in 1865 commissioners were sent to treat with us for a portion of the said reservation on which to erect military posts, . . . at the same time commissioners asked us for the right of way for soldiers as well as citizens to travel through our country to the Yellowstone and in the opposite direction, all of which we carefully granted. Had the country not been ours our Great Father, through his commissioners, would not, we think, have treated with us for the occupation or use of any portion of it, nor would we have the right to grant any such privilege.

Continuing, the same official states:

> Whatever may have been the extent of the authority vested in the first commissioners referred to by these chiefs, and whatever may have been the purpose of the Government at that time it is very evident that this arrangement, as understood by the Indians, has not been carried out to such an extent as to give them any vested right in the lands claimed by them. It is equally clear that no special pains has been taken to acquaint them with the true situation of affairs, and that they have been allowed to infer from the subsequent action of the representatives of the Government when treating with them, that their claim was a valid one. For this it is probable that no one has been especially to blame. Up to this time, the land has not been wanted for any other purpose, and it has been easier to give a tacit recognition of their claim than to incur their displeasure in denying it.

In 1874, when an effort was made to transfer them to a reservation in the Indian Territory, now Oklahoma, it was reported that the plaintiffs had refused and had stated

"they love their own country; their dead are buried there; the Government probably would not redeem its promises better there than here"; and that they did not care "to incur the risk of moving from the country they had so long called their home."

Following the execution of the Executive order of July 13, 1880, to free the "forty-mile limit" grant to the railroad of Indian titles, it was reported by the defendant's officials that the Indians complained that such action was arbitrarily done without their knowledge and consent and that such action had been the subject of severe complaint; that the property taken consisted of more than half their entire reservation; that their injured feelings were not satisfied by the addition which had been made to the north, which was rough land and undesirable, and that had they been consulted they never would have consented to the transfer. It was also reported that the plaintiff tribes were aware that the right of way for railroads through other Indian reservations had been secured by treaty for which those tribes now receive greater annuities and larger quantities of supplies than were received by the Fort Berthold Indians; that they often assert that the defendant Government did not treat the more powerful and war-like tribes in such manner and that they are now informed that because there was no treaty stipulation to fulfill with them, they can no longer be provided with certain supplies which they formerly enjoyed.

Prior to the issuance of the Executive orders of 1870 and 1880 the plaintiff Indians utilized practically the entire reservation for hunting. The trips were made annually and extended to the headwaters of the Knife River, near the southern boundary of the territory described in the Fort Laramie treaty, in the country surrounding the Little Missouri River, the center of the same territory, their chief hunting grounds, and extended northward to the Yellowstone River, the northwestern boundary of the reservation.

Under date of February 2, 1880, the commanding officer of Fort Stevenson, in answer to a direct inquiry from the headquarters of the Department of the Dakota, stated that practically the whole of the plaintiffs' reservation lying west of the Missouri River, so far as he could ascertain "is frequently visited by these Indians in pursuit of game, and I am informed by the agent of these Indians that the reservation is habitually used by them as contemplated by the Executive order of April 12, 1870 * * *."

Under date of January 26, 1880, the Indian agent at Fort Berthold reported to the commanding officer at Fort Stevenson, in answer to a direct inquiry, "you are respectfully informed that practically the entire reservation lies west of the Missouri River, and the greater portion of the same, if not the whole, is frequently visited by agency Indians in pursuing the chase; and I might say the same is habitually used by them as contemplated in Executive order of April 12, 1870."

Under date of April 13, 1880, Indian agent at Fort Berthold reported to the Commissioner of Indian Affairs that the "Indians of this agency habitually make use of the entire reservation for hunting, trapping and other purposes and unquestionably habitually use the portion of the reservation which is embraced in the land grant to the Northern Pacific Railroad * * *," and that "the character of the reservation outside the grant to the railroad company is not so well adapted to farming, raising, fishing, and hunting and the other necessities of the Indians * * *. In my judgment, any alteration or change in the present reservation would greatly militate against the interest of the Indians.

"To diminish the reservation of these Indians west of the Missouri River would deprive them of nearly all their good farming lands and timber.

"No compensation for this loss could be given them by increasing the reservation east of the Missouri River, for the land is poor and barren and without water or timber, especially the latter."

It is clearly shown that the members of the plaintiff tribes were at all times entirely familiar with the history of the treaty of Fort Laramie and the later occurrences; that the treaty was made "to form peace between themselves and other tribes" in consideration for which the Government had agreed to give them rations for fifty years; that the Government began to issue rations and that they were making use of the land, but in the course of time they found out that the Government "that swore the oath that we should use these lands just simply took part of the lands without our consent and knowledge."

It is equally apparent that when the railroad reached Bismarck the members of the plaintiff tribes thought that it was not going any further; that when it was built through their territory and they saw the white settlers coming in they realized that the Government had taken their land away from them without their consent and they thought that some day the Government might recompense them for the same, but nothing was ever done and they said "we are like prisoners," and could do nothing. This land was valuable to them because it contained their livelihood; their wants were supplied from their gardens which they planted and the hunting of buffalo and deer supplied them with meat and clothing. They had never given their consent to the action taken under the authority of the Executive orders of 1870 and 1880 and noted their objection when the facts became known to them, for "the Indian knows the difference between an open deal and no deal at all."

When the military reservations were established the plaintiffs were told that it was done to enable the Government's troops to protect them from their enemies; that the reservations belonged to the plaintiffs and that the Government desired only to occupy them; subsequently, after the defendant's troops had left, when the plaintiffs learned that the reservations had been sold, they protested, stating that the land belonged to them and that they were entitled to the proceeds.

XX

The members of the plaintiff tribes at no time had any appreciation of the value of their property and even in the negotiations of the treaty of 1886 were entirely dependent upon and required the protection of the Government. They had, however, heard of the negotiations and cession treaties made with other tribes of Indians and had been informed of the rate of payment agreed upon as compensation for the land relinquished to the Government.

Before the entry of the railroad the country west of Bismarck was unsettled and used only by the Indians. It was always good grazing land, and in the '70s it was free range. Stock was introduced into the country in the middle '70s. In the '80s hundreds of thousands of head of cattle and sheep were on the range.

In 1874 there were approximately 15,000 whites living within the old Fort Berthold Reservation, engaged in transportation, Government work, steamboat work, railroad construction and the ordinary business of a typical frontier country. After the railroad was completed a large number remained and settled down to farming.

Coal was first discovered and mined in the Fort Stevenson Reservation in 1874. Wheat was introduced in 1879. The deposits of lignite and coal were extensive and extremely valuable. The land as a whole "had a very good value, growing every day." Full returns to an owner were "a mere question of wait. * * *." In the '70s, with the stockmen enjoying free range in the territory subsequently comprising the railroad right of way, not even the oldest inhabitant, a member of the territorial legislature, and the surveyor general, and who was familiar with the land west of Bismarck and in a general way with the plaintiffs' territory, as described in the Laramie treaty, could estimate the value of the property as a whole.

Its value was entirely dependent upon the period of valuation, the quantity of acreage to be valued, and its locality.

No individual could secure a title until approximately 1877 when they had proved up. In the late '70s there were quite a number of mortgage loans on homestead titles and a settler could secure on mortgage approximately $2.60 per acre.

In the late '80s there were a number of sales of land between individuals. In some instances parcels were sold at $5.00 per acre. Land inside of the forty-mile grant to the railroad was sold at $2.50 per acre. In the '90s and early 1900 large tracts ranging from 60,000 acres to 300,000 acres were sold at prices ranging from $1.70 to $1.35 per acre. The purchase of a tract of 1,000,000 acres was negotiated on a basis of $1.05 per acre.

XXI

The territory deducted from the plaintiffs' reservation, as described in the treaty of Fort Laramie, for the establishment of the military reservation at Fort Buford under the provisions of the Executive order of August 18, 1868, was 98,645.67 acres; under the

Executive order of April 12, 1870, was 4,686,612.43 acres; and under the Executive order of July 17, 1880, was 6,639,254.66 acres.

There was added to the plaintiffs' reservation under the provisions of the Executive orders of April 12, 1870, July 13, 1880, and July 17, 1892, 1,578,325.83 acres which, in major part, were thereafter duly ceded to the defendant and for which the plaintiffs received payment.

The total net deduction from the plaintiffs' original reservation, as described in the treaty of Fort Laramie of 1851, and for which no compensation was received, was 9,846,186.93 acres.

XXII

The value of the territory deducted from the plaintiffs' reservation, and for which no compensation was paid, was $4,923,093.47.

XXIII

Subsequent to the execution of the treaty of Fort Laramie of September 17, 1851, to and including the 24th day of January, 1923, but excepting the period from March 3, 1891, to May 31, 1900, during which time the plaintiffs were receiving payment under the provisions of the treaty of 1886, the defendant expended on behalf of and for the benefit of the plaintiff tribes the sum of $2,753,924.89.

CONCLUSION OF LAW

Upon the foregoing special findings of fact, which are made part of the judgment herein, the court decides as a conclusion of law that the plaintiffs are entitled to recover $2,169,168.58.

It is therefore adjudged and ordered that the plaintiffs recover of and from the United States the sum of $2,169,168.58.

OPINION

BOOTH, *Chief Justice*, delivered the opinion of the court:

The Congress enacted the special jurisdictional act set forth in full in Finding I. The obvious purpose of the act is the adjudication of plaintiffs' rights accruing legally or equitably in virtue of any treaties, agreements, laws of Congress, or misappropriation of funds. The controversy is by the record narrowed to three claims, viz, the alleged taking by the Government of lands embraced within the Indians' reservation without their consent and without compensation; second, a claim for $50,000 for the value of timber alleged to have been cut and taken from their reservation by white trespassers; and, third, the cost of surveying the inner lines of their reservation in December, 1886, it being charged that the expense incident thereto was by express agreement chargeable to the United States and not the Indians.

The first issue raises the important question as to when the reservation claimed in the petition was fixed and set aside by treaty stipulations between the Indians and the United States, and whether the treaty relied upon did in fact create the reservation claimed. The plaintiffs, composing a confederated tribe of Indians made up of three bands—the Arickarees, Gros Ventres, and Mandans—constituted a portion of the vast Indian population which inhabited the great western plains east of the Rocky Mountains and west and south of the Missouri River and its tributaries. Prior to 1851 the Indian tribes had repeatedly engaged in costly internecine warfare, and the plaintiff Indians had suffered from such strifes, not alone from a natural indisposition towards such hostilities but from apparent inability, because of lack of numbers, to cope with their more numerous and more savage neighbors. As a matter of fact, plaintiff Indians had been driven by repeated assaults upon them by the Teton Sioux, a warlike and seemingly irrepressible tribe who had consolidated its large numbers to the south and west of the Missouri River, in territory not only adjacent to the plaintiffs' ancient habitat, but in proximity to the various other Indian tribes living within the Indian area involved in this case, to Fort Berthold, North Dakota. The one event which evoked

immediate governmental action and negotiations with all the "wild Indian tribes of the prairies" was the discovery of gold in California. The abnormal increase in travel across the plains, following the discovery of gold in California, provoked the Indian tribes into the commission of violent depredations against the travellers, alleged to be due to the destruction of timber upon Indian lands and the tribal fear of ultimate extinction of the buffalo and other game upon which they relied for food. In fact, the Indians resented the invasion of their domains. To pacify the Indians and to secure the right of free passage through the territory, as well as protect them in the future and reimburse them for losses sustained or to be sustained, the Congress on February 27, 1851 (9 Stat. 572), appropriated $100,000.00 to defray the expenses incident to "holding treaties with the wild tribes of the prairie, and for bringing delegates on to the seat of government." The President appointed the Superintendent of Indian Affairs, D. D. Mitchell, and Indian Agent Thomas Fitzpatrick, as commissioners to conduct the negotiations. The commissioners were instructed as to their duties, and in addition to express instructions as to the procurement of free and unhampered passage through their territory, it was stated to them that "It is important, if practicable, to establish for each tribe some fixed boundaries, within which they should stipulate generally to reside, and each should agree not to intrude within the limits assigned to another tribe without its consent."

On September 1, 1851, the commissioners met eight Indian tribes at Fort Laramie, viz, the Sioux or Dah-co-tahs of the Missouri, Assinaboins, Gros Ventres, Arickarees, Crows, Shoshones or Snakes, Cheyennes and Arapahoes. Following sixteen days of negotiations a treaty was finally consummated with the tribes on September 17, 1851, known as the Fort Laramie treaty. It was signed by the chiefs, headmen, and braves of all of the foregoing Indian tribes except the Shoshones, the commissioners believing that this tribe did not fall within their instructions, and in addition bore the signature of the Mandans. The treaty *in haec verba* appears in Finding V. The commissioners unquestionably followed their instructions; the stipulations of the treaty so attest. The important provision herein involved pertains to the description of the tract of land set forth in article 5, and the one issue vital to the plaintiff Indians' right of recovery is whether this article did or did not create an Indian reservation.

We have adverted to some extent upon contemporaneous conditions. The Government was chiefly concerned with the procurement of a peaceable right of passage through the Indian country for its citizens, and the prevention of Indian warfare. Manifestly, those in charge of Indian affairs, as well as Congress, were looking towards the establishment of an agricultural policy for the Indians, a policy which must eventually curtail their nomadic habits, due, as was then seen, to the encroachments of the whites upon lands the Indians had long claimed, and from which they derived their living. We need do more than assert that invasion of lands claimed by Indian tribes by either other Indian tribes or white men at once provoked hostilities. In what other way and for what other consideration could the commissioners have successfully accomplished their designed purpose than a governmental recognization of certain well-described lands as territory belonging to the Indians by right of occupancy? It is true the treaty abounds in other considerations for its execution, but the one involved here, i. e., distinct reservations, is not only specific in its terms, obligating the parties to irrevocable observance of the limits of lands set forth, but reserves in express words the claims of the Indians to other lands. The defendant says the territorial provisions were simply mutual recognition by the Indians of their claims to territory and its segregation by them, without positive governmental recognition or verification of the same. This contention, as we view it, concedes that when the commissioners approached the Indians their title by right of occupancy to all the territory embraced within the treaty was recognized by the commissioners representing the Government, and that what the treaty did was to segregate the same into individual tribal allotments. In other words, the Government not only recognized the Indian title, never at any time disputing it, but by solemn treaty, following negotiations, expressly agreed that each tribe was to be assured title to the territory set aside for it. Surely it was not essential to procure by treaty the grant of a perpetual right of way through Indian lands if the Indians did not own the same by right of occupancy. It is true the lands set aside to each tribe embraced a vast domain. To the plaintiff Indians the treaty segregated a territory of about 21,000

square miles and embracing close to 13,000,000 acres of land. With this vast estate, however, the treaty deals, and whether the Government in ratifying the treaty was moved by the then nominal value of somewhat of a wilderness, or concerned in Indian peace at present costs, the fact is the treaty was ratified in the manner provided by law and no unusual circumstance attended its negotiations, and no challenge is now made to its validity, despite the existence of an unusual situation as to its proclamation.

Commissioner Mitchell in reporting upon the treaty used this language:

> The laying off of the country into geographical or rather national domains I regard as a very important measure, inasmuch as it will take away a great cause of quarrel among themselves, and at the same time enable the Government to ascertain who are the depredators, should depredations hereafter be committed. The accompanying map, upon which these national boundaries are clearly marked and defined, was made in the presence of the Indians, and fully approved and sanctioned by all.

The language of the treaty, while not in all respects the technical wording used in other Indian treaties is, we think, sufficient when considered in connection with the instrument as a whole and the purpose and intent of the parties thereto, to clearly indicate that the territory of the Indians was to be delimited in accord with their claims and protection assured them within its bounds, in consideration of the rights and privileges secured to the United States and its citizens.

The long-existing cause of Indian wars which had excluded the whites from this section of the country arose in large part over intertribal disputations as to tribal territory, and it is difficult to perceive in what way and under what circumstances it may be held that the provisions of the treaty did not assure to the plaintiff Indians a governmental concession that the territory mentioned in the treaty was to be held by them as Indian country was held by Indians. Beyond doubt, the Indians so understood the treaty, and the Congress legislated in accord with its amended terms, to which the Indians agreed. The law, for which we need not cite familiar precedents, is that in controversies between the Indians and the Government arising out of doubtful and ambiguous provisions of treaties or contracts they are to be taken most strongly against the Government. The Indians' rights are not to be prejudiced by technical construction or words of doubtful import. The Government's policy of recognizing Indian title to lands over which the tribes ranged in hunting for game necessarily involved large areas, and the early Indian treaties exemplify this fact. Lands were not then cultivated to any extent and acreage value was exceedingly nominal, so that it is impossible for the court to construe treaty stipulations as intending a mutual arrangement between the Indian parties, rather than the delimiting of claimed Indian reservations upon the single fact of large areas and extensive habitats. We are considering a transaction completed almost eighty years ago, a period of time when the wild Indians of the prairies were occupying and in possession of the lands involved in the treaty of Fort Laramie, and the problem to be solved related exclusively to the adoption of policies and measures calculated to insure the safety of the white emigrant in Indian country and tribal peace between the tribes themselves. The quantity of land involved was not a serious factor; the perplexing question was the division of the domain among the tribes in such a way as to assure tribal peace. This, we think, the treaty accomplished to a large extent, and from that day to this the tribes have continuously insisted upon their title to the lands described in the treaty.

The Supreme Court has repeatedly held that the Indians' claim of right of occupancy of lands is dependent upon actual and not constructive possession. *Mitchel* v. *United States*, 9 Pet. 711; *Williams* v. *Chicago*, 242 U. S. 434; *Choctaw Nation* v. *United States*, 34 C. Cls. 17. Beyond doubt, abandonment of claimed Indian territory by the Indians will extinguish Indian title. In this case the Government interposes the defense of abandonment, asserting that the facts sustain the contention. It is of course conceded that the issue of abandonment is one of intention to relinquish, surrender, and unreservedly give up all claims to title to the lands described in the treaty, and the source from which to arrive at such an intention is the facts and circumstances of the transaction involved. Forcible ejection from the premises, or non-user under certain circumstances, as well as lapse of time, are not standing alone sufficient to warrant an abandonment. *Welsh* v. *Taylor*, 18 L. R. A. 535; *Gassert* v. *Noyes*, 44 Pacific 959; *Mitchell* v. *Corder*, 21 W. Va. 277.

The Government cites the history of the plaintiff Indians and their successive migrations until their final habitat at Fort Berthold. Much reliance is placed upon their comparatively small population and the fact that Sioux wars repeatedly forced them into small villages from which they dared not venture for fear of extinction by that savage tribe. It is argued that the very vastness of the area involved, in comparison with the Indian population, precluded the possibility of occupancy of the same. It is impossible from the record to fix with accuracy the population of the plaintiff Indian tribes during the period of this controversy; that they were not an unusually large tribe seems evident. Unquestionably their numbers were reduced at times by disease and warfare. However, it is established that a sufficient population continuously prevailed to establish their autonomy and maintain their tribal existence. In 1804, according to the Government's citation, their population was sufficiently large to occupy the lands and we find no evidence in the record of sufficient probative value to sustain us in deciding that their number so materially decreased as to render it impossible to range over the territory claimed. In 1869 their population was near to 2,800. It is admitted without any reservations that the plaintiff Indians not only observed the treaty stipulations as they appear in the treaty of 1851, but were by nature and disposition a peaceable, quiet tribe engaging in agricultural pursuits in the summer season and hunting game in the winter. That they ranged over the entire country involved is established by numerous reports, and that they claimed it as their own is firmly proven. The neighboring Sioux were the plaintiffs' inveterate enemies. This hostile tribe forced the plaintiff Indians to relocate their villages more than once along the Missouri River, and unquestionably the continuing menace of Sioux hostilities precluded at times extensive hunting excursions into the claimed territory; but assuredly armed intervention, forcible ejection from lands, and fear of death and tribal destruction do not indicate abandonment. For some few years following the treaty of 1851 the Sioux observed its stipulations, and the record seems to establish that the later outbreaks of the Sioux were not occasioned so much over territorial disputes as over the alleged invasion and depredations of white emigrants in or passing through the territory.

In July, 1866, a treaty was negotiated with the plaintiffs. This treaty ceded certain described lands to the plaintiffs. The plaintiffs signed it, but it failed of ratification by Congress. In August, 1868, by Executive order the Government established Fort Buford Reservation, a reservation comprising 98,645.67 acres of land, all within the boundaries of the lands described in the treaty of 1851.

In July, 1869, in response to complaints from the plaintiffs of serious depredations upon their timber lands, the major general in command of the Military Department of Dakota reported to his superior officer that he had visited the plaintiff Indians and had a council with them. One question which disturbed the council was whether the plaintiffs legally possessed a reservation or whether one had ever been allotted to them. The major instructed the commanding officer at Fort Stevenson to survey the country and recommend the setting aside of a reservation for the Indians. This was done and a report thereof forwarded to Washington. The Commissioner of Indian Affairs in August, 1869, advised the commanding officer of the existence of the treaty of 1851 providing a reservation, and of the unratified treaty of 1866, concluding with the statement that "there are no treaty stipulations with these Indians relative to a reservation for them, which have been ratified." Acting upon this erroneous information—a fact which the Government now concedes—a delimited reservation described in Finding X was by the Executive order of April 12, 1870, set aside to the plaintiff Indians. The lands embraced within the 1870 reservation were part of the precise lands, with an unimportant exception, described in the treaty of 1851. The establishment of this reservation reduced the territory described in the treaty of 1851 to the extent of 4,686,612.43 acres of land, and the Indians occupied the reduced reservation. The treaty of Fort Laramie of 1851 was ratified by the Senate on May 24, 1852, after amending article 7 of the same. The amended treaty was returned to the tribes for their assent to the modification of the same. All tribes assented thereto, and due to an administrative error and oversight the treaty was never proclaimed; hence, the Indian Office and other delegated officials concerned in negotiations with the Indians proceeded upon the erroneous conviction that the Fort Laramie treaty was never

ratified. Congress, however, recognized its terms and appropriated the sums mentioned in the treaty to meet the Government's annual obligations under it to the Indians. There can be no doubt that the failure of governmental officials and others dealing with the Indians at this time to recognize the treaty of 1851 was due exclusively to a belief that the treaty of 1851 was never ratified by the Senate. The plaintiff Indians were at the time an ignorant and unlettered people, forced by their status and situation to rely implicitly upon the representatives of the Government, and while they laid claim to a much larger territory than the 1870 reservation, they were in no position to controvert an alleged existing condition, which was represented to them by those in authority as leaving them without any landed reservation whatever. As we look at it, it was the Government's error and unintended misrepresentation which resulted in procuring a settlement with the Indians in 1870 which did not equitably compensate them for rights granted under the Fort Laramie treaty of 1851. The various special jurisdictional acts conferring jurisdiction upon this court to adjudicate Indian controversies, the decisions of the Supreme and this court, the policy of the Government from time immemorial, attest the indisputable rule that tribal Indians were not to be divested of ceded reservations, ceded under treaties and acts of Congress, without compensating them for the lands taken from them in diminishing their holdings. We think it nonessential to encumber this opinion with the innumerable cases demonstrating the rule. If we are correct in our analysis of the record, the plaintiffs are entitled to recover, under the treaty of 1851, the difference in value between the reservation allotted under that treaty and the reservation established by the Executive order of 1870.

The construction of the Northern Pacific Railroad, with the aid of grants of land through which the line passed, again diminished the plaintiffs' reservation. This railroad ran through the Indians' reservation as fixed by the Fort Laramie treaty of 1851. Section 2 of the land grant provided for the extinguishment of Indian titles. On June 23, 1878, the officials of the railroad notified the Commissioner of Indian Affairs that the line of the road ran through the lands ceded to the Indians as a reservation in 1870, and inasmuch as the grant to the railroad covered every alternate section of land along its right of way, it was essential in order to expedite building that the Indians' reservation be altered and Indian title extinguished so that progress might attain, and railroad lands be freed from Indian claims of title. In July, 1879, the commissioner of Indian Affairs recommended the withdrawal from the reservation of a large acreage of lands, ceding the Indian lieu lands on the north bank of the Missouri River. On July 13, 1880, by Executive order the recommendations of the commissioner were made effective. (Finding XIV.) As a result of the foregoing order, in connection with additional landed transactions described in Findings XV and XVI, the plaintiffs' reservation as set out in the Fort Laramie treaty was again diminished to the extent of 6,639,254.66 acres, leaving the remaining area of the territory described in the treaty of 1851, with the additions made thereto in 1870 and 1880 as the plaintiffs' reservation, the major portion of which was duly ceded by them subsequent to the treaty of 1886. Thus it is shown that through governmental action the plaintiffs' reservation as described in the treaty of 1851 was diminished by successive takings to the following extent, viz, 11,424,512.76 acres, itemized as follows: 98,645.67 set aside for Fort Buford Military reservation, 4,686,612.43 acres taken under the Executive order of 1870, and 6,639,-254.66 taken under the Executive order of 1880. However, the Executive orders of 1870, 1880, and 1892 added to the plaintiffs' landed estate 1,578,325.83 acres, no portion of which was included in the lands described in the treaty of 1851 and the major portion of which was thereafter ceded to the Government and for which the plaintiffs received payment, thereby reducing the number of acres finally taken by the Government, for which no compensation has been paid, to 9,846,186.93 acres. (Finding XXI.)

It is an essential function of the court to reconcile the record as to the amount of compensation to which the Indians are entitled, predicated upon the value of the lands. The plaintiffs seek to fix an acreage market value of $1.25 per acre, the price for which much of the territory was offered by the Government to settlers. The contention we believe is untenable. The acreage price offered to settlers was adjusted on a basis of limited allotments, the entire consideration to be paid in stated installments. The judgment we are to render is to be based on takings embracing large areas of land,

totaling in two instances millions of acres and in the other close to a hundred thousand acres. When these large tracts were acquired it is apparent that enormous expense is involved in the future segregation of the tracts into marketable units and their sale upon installment payments. The Government's overhead in the maintenance of a department to accomplish their disposition and the incidental expense accompanying the transaction indisputably establishes that the $1.25 per acre was not all profit, if, in fact, profit accrued at all. The Indians could not have disposed of the lands in the way and manner the Government did, and while the homestead laws valued the lands at $1.25 per acre, the return to the Government was not a net but a gross price. We give the Indians a judgment in this case for the value of the lands free from all the expense of sale or segregation for sale. To claim a uniform price of $1.25 per acre, free from the character of expense enumerated would, in our judgment, award the plaintiffs a sum much beyond any price they could have obtained had they offered the tracts for sale.

The plaintiffs are entitled to just compensation to be fixed upon the basis of the amount they might have obtained for the large areas taken at the time they were taken. It is conceded in the briefs of both parties that in 1851 the Indian country involved possessed little, if any, market value. It is, of course, obvious that the Indians could not have sold it or transferred a title in fee. The discovery of gold in California did not appreciably affect the value of the domain. It was not until 1870 that activities concentrated upon the domain and civilization began to push itself into that section of the country. The Civil War had intervened in this period and during the war several Indian hostilities prevailed. The building of the railroad was among, if not, the first event which tended to give a market value of any consequence to the land, and it is inconceivable that 4,686,612.43 acres of land of varying quality and location could possibly have been disposed of in excess of fifty cents per acre. This, we think, represents the maximum of value, a sum deduced from a conflicting record and in harmony with the price fixed by the Government for lands acquired about the same period of time from other Indian tribes in the same locality in cessions to the Government of their reservations in many treaties. The record discloses but a single instance wherein the various tribes of Indians occupying adjacent territory ever asserted a claim for as much as $1.25 per acre for lands in this section ceded to the Government by treaty stipulations, and in addition to this fact the plaintiffs in December, 1886, sold to the Government 1,782,831.64 acres of their then reservation for a little less than 45 cents per acre. Almost 779,000 acres of the total amount sold in 1886 were within the boundaries of the lands described in the treaty of 1851. The record convinces us that the Indians themselves did not and would not have valued their lands at the time they were taken at a greater average value than fifty cents per acre. This acreage value is not, of course, the highest claimed, nor does it represent the price, much lower, contended for by the Government. It is the acreage value which we believe the lands might have brought if offered for sale, considering the title of the Indians and the circumstances surrounding a transfer of the magnitude and importance involved. On this basis we award total value of $4,923,093.47.

The jurisdictional act charges the Indians with "all sums heretofore paid or expended for the benefit of said tribe or any band thereof." The Government under the foregoing provision of the jurisdictional act charges the Indians with $290,827.25, alleged to be pro rata cost of educating individual children of the bands at various nonagency Indian schools. The amount charged is arrived at by ascertaining the per capita cost of maintaining the schools and charging the same to the Indian tribe as the number of children attending appears. The Government during the period maintained at its expense Indian schools at Carlisle, Pa., Chilocco, Okla., Lawrence, Kans., Pipestone, Minn., and Pierre, S. D. Congress appropriated from the Treasury in accord with a governmental policy to extend the privileges of education to Indian children for the express intent of eventually changing the hereditary habits and customs of the tribes. The motive involved was more directly beneficial, from a governmental standpoint, to the Government than to the tribe. Of course, educational facilities were of prime necessity and imperative, and eventually resulted in benefit to the tribe, but the immediate beneficial results were individual and not tribal.

We do not believe that the jurisdictional act comprehends a set-off against the claim of the Indians for this item of expenditure in behalf of children of Indian tribes indiscriminately. To so hold might result in sustaining an obvious injustice, for the bands involved in this litigation would be held to contributing a sum towards the maintenance of the schools, while other tribes with much larger attendance would escape payment for benefits of equal value. The sums chargeable, we think, must be restricted to the usually recognized and customary distributions made to the Indians as tribes and bands, unless a contrary purpose is expressed in the act. Public institutions established for the Indian race were maintained from public funds as an adopted public policy, in the nature of gratuity. The Government, we think, did not expend and is not entitled to a counterclaim of more than $2,753,924.89, leaving a judgment in favor of the Indians in the amount of $2,169,168.58. Judgment for this amount is awarded the plaintiffs. It is so ordered.

WILLIAMS, *Judge;* LITTLETON, *Judge;* and GREEN, *Judge,* concur.
WHALEY, *Judge,* did not hear this case and took no part in its decision.

JURISDICTION OVER INDIANS IN NEW YORK

UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF NEW YORK

United States of America, Complainant, *vs* Hattie Charles, Defendant.

Motion for dismissal of bill in equity

Appearances: *George L. Grobe, United States Attorney,* Attorney for Complainant (*Aubrey Lawrence and C. C. Daniels, Special Assistants to the Attorney General,* of Counsel.)
Nelson T. Barrett, Buffalo, New York, Attorney for the Defendant.

(Decided April 19, 1938—23 Fed. Supp., 346)

BURKE, District Judge:

The defendant moves to dismiss the bill herein on the ground that it does not state facts sufficient to constitute a cause of action and on the ground of lack of jurisdiction. The action is brought by the United States of America for and on its own behalf and for and on behalf and as trustee and guardian of the Tonawanda band of Seneca Nation of Indians to set aside a deed to the defendant pursuant to a sale ordered by the Supreme Court of the State of New York in partition proceedings with reference to certain property upon the Tonawanda Reservation. In addition to this specific purpose the action is brought by the United States to maintain its obligations to the Tonawanda Tribe of Indians as guardian under treaties and to prevent the exercise of jurisdiction over Indian tribal affairs by the State of New York without the request of the Indian tribe involved or the acquiescence or consent of the United States.

The facts alleged in the complaint, in so far as they are material to this motion, are as follows:

The Tonawanda Tribe of Indians was a part of the Seneca Nation which belonged to the Iroquois Confederacy and is a separate and distinct tribe of the Seneca Nation not bound by or subject to the charter of the Seneca Nation adopted by the Alleghany, Cattaraugus and Oil Springs bands or tribes, the Tonawanda band acting under and being governed by its separate tribal laws and customs. The Tonawanda band has maintained its own tribal relations and has kept tribal affairs and property separate and distinct from any other tribe or band. The several nations of the Iroquois Confederacy and its constituent tribes, including the Tonawanda band, hold their tribal lands in common and are prohibited from transferring or alienating said lands without the consent of the United States and the United States has not at any time consented to alienation of lands within the Tonawanda reservation. The lands described in the

complaint over which the dispute arose are within the boundaries of the Tonawanda reservation. Anna Moses, a member of the Tonawanda band was in possession of said lands at the time of her death which occurred during the month of June, 1933. She died intestate. Thereafter a "Consolation Feast" or "Ten day Feast" was held according to the custom and usage of the Tonawanda Indians, at which the right of possession and use of the lands were duly determined, in accordance with the usage and custom of the Tonawanda band, to vest in Gertrude Blackchief, a Tonawanda Indian, and other Tonawanda Indians. Thereafter Gertrude Blackchief filed with the Chiefs' Council of the Tonawanda band, in accordance with the custom and usage of the tribe, a petition for the enforcement of the determination of the "Consolation Feast" and for the purpose of evicting Ira Charles and the defendant Hattie Charles, who were adverse claimants to the said land and who claimed heirship which entitled them to the said lands. Thereafter, and about March 17, 1934, before the Chiefs' Council had acted or had had an opportunity to act on the petition of Gertrude Blackchief, a proceeding was commenced in the Supreme Court of the State of New York, County of Erie, in the name of the People of the State of New York on the relation of Ira Charles and Hattie Charles, against Gertrude Blackchief, the Chiefs' Council of the Tonawanda band and others, for a writ of prohibition and injunction to restrain the said Gertrude Blackchief from instituting any proceedings in or before the Chiefs' Council of the Tonawanda band and to restrain the Chiefs' Council from entertaining any action or proceeding or making any order or decree relating to the said property. On or about May 7th, 1934 the Supreme Court of the State of New York, County of Erie, issued an order perpetually enjoining Gertrude Blackchief from instituting or prosecuting any proceeding before the Chiefs' Council and restraining the Chiefs' Council from entertaining, determining, or enforcing any proceedings in relation to the said property. On or about March 15, 1934, an action was commenced in the Supreme Court of the State of New York, County of Genesee, by Hattie Charles and others against Gertrude Blackchief and others for the purpose of enforcing their alleged claims to the said property by the application of the Inheritance Laws of the State of New York. In this action they applied for a partition of the said lands and the said partition proceeding culminated in a judical sale by the referee appointed by the Supreme Court in said action. The referee was directed by the court to sell the property at public auction to the highest bidder. The sale took place on September 5, 1936, and the property was purchased at said sale by the defendant Hattie Charles. At the time the property was offered for sale by the referee it was stated by the attorney for the defendant in the partition action, with the acquiescence of the referee, that no one but the members of the Tonawanda band would be permitted to bid although there was no such provision in the order of sale and this fact was at the time called to the referee's attention. The sale was duly confirmed and a deed of conveyance was executed by the referee and delivered to the defendant Hattie Charles.

The allegations of the bill establish that the United States has a real and direct interest in the matter in controversy. The Tonawanda band, being a distinct tribe, is under the guardianship of the United States and thereby entitled to its aid and protection. The custom and usage of the Tonawanda band in establishing descent of real property on the reservation has been overridden by the State Courts and in lieu thereof there has been substituted the laws of descent of the State of New York, all without the consent of the Indians or the United States. This gives rise to a duty on the part of the government to its wards to protect them in their property rights and an independent duty of carrying out a well defined governmental policy in preserving intact the Indian reservation with the management of internal affairs within the hands of the Indians. For such purpose the government can maintain an action in its own courts. *Heckman* vs. *United States*, 224 U. S., 413, 437; *United States* vs. *Boylan*, 265 Fed. 165.

The right of a tribe to govern itself in accord with tribal laws and customs without interference or dictation from the State courts has been upheld by the highest court of New York State. *Mulkins* vs. *Snow*, 232 N. Y., 47; *Matter of Patterson* vs. *Seneca Nation*, 245 N. Y., 440.

Accepting without derogation the allegations of the bill, Gertrude Blackchief was determined to be entitled to the possession and use of the tribal lands in question in accordance with the custom and usage of the tribe at the "Consolation Feast" and in

further accord with this custom and usage she duly petitioned the Chiefs' Council of the Tonawanda Band for enforcement of this determination. There was, therefore, an established tribunal in accordance with the custom and usage of the tribe for determining the right to possession of tribal lands. Interference with its procedure by injunction of the State Courts was an unwarranted and unlawful disturbance of the right of the Indians to the free use and enjoyment of its tribal property and a violation of treaties guaranteeing these rights.

The reservation lands are held in common by the tribe although individual members of the tribe may be in possession of a particular tract, and such possession is recognized by the tribe. But the lands are inalienable except with the concurrence and consent of the United States. An individual member of the tribe cannot convey title to any particular tract of reservation lands. *U. S.* vs. *Boylan* (*Supra*). The judicial sale by the referee and the referee's deed in the partition action ran counter to that principle and purported to convey title to reservation lands in fee simple. This is repugnant to governmental policy in regard to Indian reservations. If such sales are countenanced by the government there is danger that in time the reservation will cease to exist as such. Congress has adopted a policy of continuing the tribal relations of Indians and their rights as distinct political communities, apart from State interference. Congress alone may vary this policy. *U. S.* vs. *Boylan* (*Supra*). Until such time as Congress sees fit to change it, any interference with it either by State legislation or by extension of the jurisdiction of the State Courts over internal affairs of Indians on the reservation is an unlawful interference with a governmental function. The complaint states a cause of action cognizable in equity.[1]

The motion should be denied.

HAROLD P. BURKE,
United States District Judge.

Dated: April 19, 1938.

RE: NEW YORK INDIANS—CONFERENCE ON POLICY TO BE HELD BETWEEN REPRESENTATIVES OF THE DEPARTMENT OF JUSTICE AND THE DEPARTMENT OF THE INTERIOR

The formation of the policy of the United States in dealing with the New York Indians is particularly within the province of the Department of the Interior. The situation which has prevailed in relation to the New York Indians as well as certain legal considerations naturally condition any policy which may be formed by the United States. This memorandum is for the purpose of indicating the more important phases of the situation which exists and pointing out the legal propositions which should be taken into account.

I

LEGAL CONSIDERATIONS AFFECTING POLICY

1. PARAMOUNT JURISDICTION OF THE FEDERAL GOVERNMENT

It is arguable whether or not the United States has exclusive jurisdiction over the New York Indians. A careful consideration of the question shows the Federal Government to have exclusive jurisdiction. However this may be, "it is settled beyond peradventure of a doubt that the federal government has paramount authority over" the New York Indians, (*Rice* v. *Maybee*, 2 Fed. Supp. 669). The least that can be said of federal jurisdiction was stated by the Court of Appeals in *People ex rel Cusick* v. *Daly*, (1914), 212 N. Y. 183, where the court below was reversed for convicting a Tuscarora Indian of assault with intent to kill, for the reason that the federal courts had exclusive jurisdiction of the crime by virtue of §9, Act of 1885 (23 Stat. 385; U. S. Crim. Code, §328). The Court said at page 196:

> Even if we assume that, in the absence of Federal legislation, the state has the most ample power to legislate for the Indians within its borders, there seems to be no escape from the conclusion [pp 197] that when Congress does act the power of the state must yield to the paramount authority of the Federal government.

[1] See United States ex rel. Tyler et al., 294 Fed., 111; 269 U. S., 13, particularly the briefs filed in the Supreme Court on State or Federal jurisdiction over New York Indian Tribes.

2. APPLICABILITY OF GENERAL LAWS RELATING TO INDIANS

No doubt can be entertained about the applicability to the New York Indians of all of the laws of Congress relating to Indians in general. The Court in *People ex rel. Cusick* v. *Daly*, supra, applied the "Seven Major Crimes Act" which was of a general nature. Similar instances could be multiplied.

3. STATUS OF TRIBES AND TREATY RIGHTS

In addition to the fact that all general acts of Congress relative to Indians apply to New York automatically, there is the further fact that treaties guarantee that the United States will not "disturb * * * the Six Nations * * * in the free use and enjoyment" of their tribal lands, (7 Stat. 44). Treaties, in legal effect, are on a par with Acts of Congress. The Supreme Court in *The New York Indians*, 5 Wall. 761, (1866), has construed the treaties with the New York Indians to preclude action by the state which would disturb them in the peaceful possession of their reservations. This right of undisturbed use of the reservations is the right of the tribe as a "separate political community" dependent on the United States alone.

The fundamental propositions of law which affect the New York Indian situation are (1) the prevailing authority of Congress (at least), (2) the applicability of all general Acts of Congress, and (3) the right of the tribes guaranteed by treaty to the undisturbed occupancy of their reservations as political communities. For the most part, it is a question of policy as to whether or not and to what extent the provisions of the general laws are to be enforced or the treaty rights of the Indians protected.

II

PASSIVE POLICY OF THE UNITED STATES IN THE PAST

Except for sporadic activity, the policy of the United States in the past has been passive. Inaction has been both cause and result of the conflict as to whether the United States or the State of New York is guardian of the New York Indians and has jurisdiction of their affairs. How this conflict in jurisdiction arose is a subject for the historian. Suffice to say, it has enveloped the administration of the affairs of these Indians in a fog of doubt, uncertainty and lost responsibility with an inevitable injury to the rights of the Indians. The confusion, however, has not been an unalloyed evil.

The passive policy of the Federal Government, prior to the present administration, is perhaps best illustrated by the leasing of lands for villages within the Allegany Indian Reservation. The restriction imposed by Congress on the leasing of reservation lands was a dead letter with the Indian Office as far as the New York Indians were concerned. The New York Legislature, in order to protect the state's preemption right to the Indian's lands, had imposed restrictions at an early date on purchasing or leasing Indian lands. These restrictions, coupled with the doubt as to whether the Federal restrictions applied, were sufficient to render the Indian Office inactive and, as a consequence, considerable settlements were made on the Allegany Indian Reservation by white persons under no better authority than leases for nominal rentals made under the sanction of the state.

These leases were made in violation of the limitations imposed by Congress on leasing and sale of Indian lands in general and, when tested in the state courts, were declared void. The New York Legislature requested Congress to ratify these leases. Accordingly, Congress ratified these leases for a specified time, provided for the laying out of certain villages, and prescribed the method and requirements for renewing leases for periods of twelve years (Act of February 19, 1875).

No provision was made for government approval of the terms and conditions of new or renewed leases. In 1890, Congress responded to the pressure of the lessees in these villages and permitted renewal of leases for a term of ninety-nine, instead of twelve, years, (Act of September 30, 1890). The literally wholesale renewal of leases for terms of ninety-nine years at nominal rentals demonstrated either the generosity, incompetence or corruption of the Seneca Council which had charge of the matter.

Complaints were increasing to the effect that the Councillors were acting in their own interests and misusing tribal funds arising from rentals and the Act of February 28, 1901, was passed by Congress which provided that rentals were to be collected by the United States Indian agent, who was to pay to the Council two thousand five hundred dollars and distribute the balance to the members of the tribe along with the federal annuities.

The act of 1875 appears to be predicated on the proposition that the Seneca Nation through its Councillors was competent to manage their own affairs in relation to leasing and that the United States owed no duty to the Indians other than permitting them to lease their lands. The act was for the white intruders and not for the benefit of the Indians. The act of 1901 commits the government to an active supervision over the collection of the rentals. The same act, by implication, charges the Council with malversation of rentals and provides for the distribution of the same to the members of the tribe, except for two thousand five hundred dollars for the Council. The United States has thus been committed to an active guardianship over the Seneca Nation at least in relation to the collection of rentals and distribution of the same, which looks to the interests of the Tribe.

III

Pernicious Effect of Passive Policy

In relation to the Salamanca leases, the United States has continued its passive policy as much as the acts permit. The United States is chargeable with collecting the rentals and, by implication, of cancelling leases which have been breached. The McCarl audit of the books of the Seneca Nation (Senate Doc. 253, 71st Cong., 3d Sess., and Sen. Doc. 87, 72d Cong. 1st Sess.) reveal the general passiveness of the government in the matter—The Indian agent serving as little more than bookkeeper. Through the hesitant action by Congress and the lack of action by the administrative departments, the Indians get only a fraction of what they are entitled to from their leases.

TONAWANDA GYPSUM

Another instance of the bad effect of the confusion is the Tonawanda Gypsum. George Watson, an attorney, was employed by the Tonawanda Band of Indians at a compensation of $100,000 to defend a suit brought on behalf of certain members of the tribe for moneys paid or to be paid the tribe for the mining of gypsum under the surface of tribal lands occupied by the individual members. United States Code, Title 25, 881, required the approval of the Secretary of the Interior of the contract of Watson with the Tribe. The contract was forwarded to the Secretary of the Interior for approval, but the same was returned without approval with the following statement:

> * * * It appears * * * that the State is the guardian of the lands of the Tonawanda Indians, and the State legislature has passed laws for their government * * *
>
> In view of the fact that this case does not involve a federal question and the Indian lands are held in trust for them by the State of New York it is believed that your contract with the tribe is sufficient to enable you to proceed. If an approval of your contract is necessary it must needs be taken up with the proper New York State officials. * * *

Watson and Darch defended the action against the tribe which defense involved appeals, (*Matter of Parker*, (1929), 227 A. D. 107). When it came to enforcing the attorneys contract for compensation of one hundred thousand dollars, the Supreme Court of the State of New York, in *Matter of Darch*, (1933), 145 Misc. 836, declared the contract void as not having the approval of the Secretary of the Interior as required by U. S. Code, Title 25, § 81. Though the court disallowed compensation on any basis, the tribe gave Watson and Darch about $20,000.

UNSETTLED RULE OF DESCENT AND DEVOLUTION OF PROPERTY

Another instance may be found of the bad effect of the passive policy of the Government in the application of the inheritance laws of the state to the reservations. At various times, questions of descent and distribution of Indian land has come into state courts. In some instances the courts have ruled that the Indian customs applied.

In other instances they have ruled that the state law applied. With the Indians, it was pure speculation as to how the land would be allocated. In any event, the expenses of litigation, which in some instances almost consumed the estate, were borne by the Indians.

Instances could be multiplied where a particular course of action has been taken on the assumption that the state had jurisdiction of Indian affairs, only to find that such course of action was illegal. The situation inevitably results in the injury of either the Indians or the persons dealing with them, and more often than not, to both.

IV

Erroneous Assumption as Basis for Passive Policy

The passive policy of the United States seems to have been predicated, for the most part, on the erroneous assumption that, if the Federal Government pursued an active policy in regard to the New York Indians, the State of New York would withdraw such aid as it gives the Indians in the way of education, welfare, road maintenance, and annuities. For the most part, the state is bound to pay the annuities. The roads are maintained, not for the Indians, but notwithstanding the Indians.

Such aid as the State renders the various tribes in the way of education and social welfare is not to be belittled, though it has more often than not been overemphasized. There is little reason to support the assumption that the state would withdraw its aid to the Indians in the event the United States pursued an active policy in relation to conserving the rights of the Indians and protecting their interests.

V

Duty of United States to Itself, New York, the Indians and Whites to End Passive Policy

The government owes it to itself as well as to the Indians and the State of New York to vigorously enforce all federal laws in relation to Indians and thus prevent situations from repeatedly arising in relation to the New York Indians which invariably cause confusion and quite often injury to every one involved.

VI

Active Policy Announced

With the appointment of John Collier as Commissioner of Indian Affairs, there promised to be a permanent end to the passive policy of the United States. The Wheeler-Howard Act provided for the fostering of the Indian Tribes, as such. In a speech on September 4, 1934 to the New York Indians explaining the provisions of the Act, Mr. Collier announced that "a complete reversal of Federal Indian policy has taken place in the last year." He further stated:

> I believe that the Federal policy towards the New York Indians should become exactly what that policy is towards the Blackfeet, the Sioux, the Papagos, the Pueblos or the Navajos.

The United States appears to have thrust aside its passive policy toward the New York Indians and have taken definite action looking to the protection of the rights and consideration of the interests of the various tribes as well as rendering certain aid to them. Under the W. P. A., certain lands on the St. Regis Reservation are being recovered by drainage. An action, *United States* v. *Charles*, was instituted in the District Court to cancel a state court proceeding partitioning forty-five acres of the Tonawanda Reservation. This action is being prosecuted on the three-fold theory that the partition proceedings, referee's sale, and injunction restraining the council from determining descent and devolution of reservation lands are (1) a violation of the treaty rights of the tribe to the peaceful possession of the reservation, (2) an alienation of reservation lands restricted by federal law, and (3) an undue interference with a function of the United States.

On the Onondaga Reservation, the United States prosecuted recently under the "Seven Major Crimes Act," Levi Frost, an Indian, for murder on the reservation, notwithstanding the mistaken claim of the state attorney of the jurisdiction of the state. Another People ex rel. Cusick v. Daly was thus avoided.

Highly significant of the active policy of the government toward the New York Indians is the attitude of the government in relation to the leasing situation on the Allegany Reservation. The original act of 1875 was quite reasonable under the circumstances. The act of 1890 extending the term of renewal leases from twelve to ninety-nine years has worked a great injury to the interests of the tribe. The authority granted to the Council to make leases on such terms and conditions as they saw fit, without approval by the Department of the Interior, was so abused by the Council, that any policy looking to the interests of the tribe would require that further leases be subjected to the approval of the government. The administration accordingly recommended H. R. 6248 (S. 2122) which limited the term of renewal leases, provided that rentals be based on the appraised value of the property, and subjected the generosity of the sixteen Councillors with tribal property to the veto of the Department of the Interior. The fact that Representative Reed, of Salamanca, New York, managed to smother the bill in committee is to be regretted, but cannot be taken to indicate that Congress endorses the resumption of a passive policy.

VII

Specific Matters for Consideration

There are several matters heretofore investigated and reported on which are suggested for consideration, viz:

(a) Condemnation by New York of part of the Onondaga Reservation for highway and flood control;

(b) Illegal "renewal" of leases in Salamanca on the Allegany Reservation;

(c) Illegal taxation and sale of property occupied by an Indian in Salamanca;

(d) Illegal taxation of lands on the Cattaraugus Reservation occupied by a member of the tribe;

(e) Breach of conditions of lease by Snyder Packing Company for lands on Cattaraugus Reservation;

(f) Illegal mining of gypsum on Tonawanda Reservation.

Since detailed memorandums have been sent the Department covering each of these questions, the following treatment is brief.

1. CONDEMNATION FOR FLOOD CONTROL

In a memorandum to the Attorney General, dated January 21, 1935, I recommended that suit be brought in the federal court for the purpose of restraining and preventing condemnation and appropriation of certain lands on the Onondaga Indian Reservation by the state of New York for highway and flood control purposes under authority of acts of the legislature of the state.

Thereafter another memorandum was forwarded the Attorney General, dated May 9, 1935, on the same subject, which recommended suit in the Supreme Court of the United States in the name of the United States of America against the State of New York on the grounds set forth in the form of complaint attached to said memorandum.

A conference was thereafter held at the Department of Justice in Washington, between Mr. Blair, Assistant Attorney General in charge of the Public Land Division, and Mr. Collett and Mr. Lawrence and the undersigned, all of the Division. It was determined at the conference that the suit recommended in my memorandum should be instituted, and I was directed to confer with Solicitor General Reed with relation thereto, which I did.

For reasons of policy, at that time the suit was not brought. The state, at that time, was taking no immediate steps to take over the land condemned or to evict therefrom the Indians residing on the reservation. Therefore the unpleasant task of bringing suit against the state was not imperative.

Since then, however, other steps have been taken looking to the building of dam and highway on the land and the flooding of the homes of members of the Nation or tribe of Indians residing on the Reservation, by construction of the said highway and dam for flood control.

The undersigned attended a meeting at Syracuse at which Army Engineers were hearing discussion of the matter, to be followed with report by the Engineers assigned to flood control. Memorandum dated August 14, 1936, in relation thereto was sent you.

The undersigned respectfully recommends that suit be brought in the Supreme Court of the United States in the name of the United States of America against the State of New York on the grounds set forth in the form of complaint attached to memorandum dated May 9, 1935, with such changes as may be deemed advisable.

By the institution and prosecution of such a suit, decision of the highest court will be secured that will settle many questions of vital importance in dealing with the New York Indians and their problems.

2. ILLEGAL "RENEWAL" LEASES IN SALAMANCA

It was through the passive policy of the United States that the city of Salamanca sprung up on the Allegany Reservation along with several other villages. A state court decision made it clear that these "lessees" were trespassers. It became almost mandatory for the government to either ratify the "leases" or remove the intruders. At the request of the State, Congress legalized the "leases" and provided for renewal leases but did little more, for the Indian Council was subjected to no supervision.

Since the legalizing act of 1875, the lessees have been strongly opposed to any change whatsoever in the passive policy of the government, with the exception of the act of 1890 which extended the authority of the Council to make renewals for ninety-nine years and the time when Congressman Vreeland, a resident of Salamanca, proposed to compel the Indians to virtually give the lands to the lessees. As a matter of fact, it is hard to conceive of any change in the situation at Salamanca, other than giving the lands to the lessees, which could improve the bargain obtained by the lessees at the expense of the tribe. The lessees also did not oppose the act of 1901 which provided a bookkeeper for the tribe and lessees and limited the authority of the Council in squandering more than twenty-five hundred dollars of the rentals.

The government neglects its responsibility to the tribe when it continues to permit the leasing of city lots for the wholly inadequate rentals and when illegal "renewals" are allowed to go unchallenged and leases otherwise breached.

The measure advocated by the administration before the last Congress was for the purpose of protecting the lessees as well as to subject the Council (for the benefit of the tribe) to a much needed supervision in making leases.

As a result of the dilatory tactics adopted by those who felt that the Federal Government should stand by and permit its wards to be exploited, it was recommended that action be brought by the United States to cancel Lease 93–A. Reference is made to memorandum dated April 22, 1938, to which was attached a tentative form of complaint for the consideration of the Department.

The people of Salamanca would be convinced by such a suit that the Federal Government is in earnest in its purpose to act in the interests of the tribe and at the same time desires that the equity of lease holders who have placed improvements on the land be protected. No doubt, much of the opposition to a similar bill would disappear if the government ended for all times its passive policy—a policy upon which the interests of the lessees have thrived for so many years at the expense of the tribe.

Aside from the proposed bill relative to leasing, if the government is to pursue an active policy and meet its responsibilities toward the tribe, the suit should be instituted.

3. TAXATION AND SALE OF PROPERTY OCCUPIED BY AN INDIAN IN SALAMANCA

Two acts of Congress prompt the government to bring action to restrain the assessment of taxes on the lot occupied by Leona Kenjockety, an Indian possessing the land under original right of occupancy. The act of 1875 directing Salamanca to be laid out specifically exempts Indians from taxation. There is also the federal limitation on

alienation of Indian lands which appears to have been violated by the tax deed to the City of Salamanca.

This matter was investigated in 1925–7 and the United States Attorney directed to institute suit to enjoin the collection of taxes from the same lot held by the mother of Leona Kenjockety. It was represented by the City Attorney of Salamanca that the assessment was made for sewerage which was to be shut off and backed up against the homes of the Indians if the government brought suit. This threat was sufficient to render the government inactive in relation to the rights of the Indians—a threat which the city could not enforce.

This matter clearly demands action on the part of the Government.

4. ILLEGAL TAXATION OF LANDS ON THE CATTARAUGUS RESERVATION OCCUPIED BY JIMERSON, AN INDIAN

It is recommended that suit be brought in the United States District Court for the Western District of New York in the name of the United States of America against the County of Erie to enjoin the assessment, levy or collection of taxes against the estate of George A. Jimerson, his family, or the lot or parcel of land on the Cattaraugus Indian Reservation by his family occupied.

The basis on which the said County has taxed Jimerson and the lot occupied by him and his family, is that a Seneca Indian by the name of Charles Dennis leased some fifteen acres of land on the Cattaraugus Indian Reservation allocated to and occupied by said Dennis as a member of the Seneca Nation, to the Erie Preserving Corporation for an annual rental of thirty dollars per annum. The lease was approved by act of Congress. The Erie Preserving Corporation built a factory and houses for their working force on the land leased. The Jimerson lot and house came into his possession through the Erie Preserving Corporation and he used the same as a home until his death, since when it has been used by his family.

It may be pointed out that the question of taxing this lot and house has been looked into before and the conclusion reached that the same were not exempt from taxation by virtue of state law.

A judgment is needed in this instance, not only to protect an Indian ward from illegal taxation, but to have reiterated by the courts the proposition that the reservation lands are exempt from state taxation not by reason of state exemptions but by reason of federal law.

5. BREACH OF LEASE BY SNYDER PACKING COMPANY

In memorandum dated July 9, 1935, report was made on the various breaches of the so-called Dennis lease which is claimed by the Snider Packing Company. Recommendation was made to attempt to negotiate a revised lease to the better advantage of the tribe. This failed and recommendation was made in memorandum dated April 9, 1937, to cancel the lease.

The Snider Packing Company, so I am informed, has been recently dismantling the plant and removing the equipment. It is possible that fixtures attached to the soil are being removed to the injury of the tribe. This matter should be checked into and prompt action taken accordingly. In any event, the lease should be cancelled.

6. ILLEGAL MINING OF GYPSUM ON TONAWANDA RESERVATION

The gypsum contracts set forth and described in memorandum dated April 14, 1938, relative to the appropriation of gypsum from the Tonawanda Indian Reservation, were, in my judgment, illegal and the compensation therein provided inadequate and unjust to the Tonawanda Indian Band or Tribe and should be cancelled and those who have appropriated the gypsum be made to pay the reasonable value thereof.

The policy of protecting the Indians in their property and rights should be made perfectly clear so that which belongs to tribal Indians will be as safe from exploitation as any other property, the protection of which the Federal Government is charged with.

It is my opinion that even if the terms of the lease equitable, the lease should be cancelled and a new lease made under the provisions of the United States Code, Title 25, §397.

VIII

FEDERAL COOPERATION WITH STATE AUTHORITIES

As hereinbefore mentioned, it has generally been intimated or felt that if the Federal Government pursued an active policy in protecting the rights of its Indian wards, that the State of New York would "sit down" on its work being done for the benefit of the Indians. Such is not necessarily the case. The cooperation between the State and Federal Governments is not merely a possibility but the thing which is most logical and probable. In this connection, the protection of the Poosepatuck and Shinnecock Indians illustrates the cooperation of state and federal governments.

More than one act of Congress is predicated on the cooperation of state and federal agencies for the benefit of the Indians. Cooperation implies however, action and the United States can hardly be said to cooperate when it allows a confused and bewildering situation to continue which is in large measure due to its own inaction.

Respectfully submitted.

C. C. DANIELS,
Special Assistant to The Attorney General.

CD:JG

TREATIES—INDIAN RIGHTS

UNITED STATES *v.* MRS. P. L. GARROW (No. 4018)

1. JAY TREATY AS APPLIED TO INDIAN RIGHTS.

Article III of the Treaty of Amity, Commerce, and Navigation concluded between the United States and Great Britain on November 19, 1794, commonly known as the Jay Treaty, so far as it applied to the rights of Indians to pass and repass "with their own proper goods and effects" into the respective territories of the two parties, without the payment of "any impost or duty" of whatever nature was abrogated by the war of 1812. Citing *Karnuth, Director of Immigration, et al.* v. *United States ex rel. Albro*, 279 U. S. 231.

2. CANADIAN INDIANS—CITIZENSHIP.

Indians residing in Canada, although wards of the Canadian Government, are within the category of citizens or subjects of that Government. Article III of the Jay Treaty having been nullified by the war of 1812 as to Canadian citizens (*Vide Karnuth* case, *supra*), it was likewise nullified as to Canadian Indians.

3. BASKETS OF WOOD IMPORTED BY AN INDIAN.

A full-blooded Indian women, residing in Canada near the international boundary line, entered the United States carrying certain baskets made of black ash splints, the baskets not being a part of her household effects, but manufactured for sale and brought into the United States for that purpose, was properly chargeable with duty for *baskets, wholly or in chief value of wood*, under paragraph 411, Tariff Act of 1930, there being neither any treaty of exemption of the goods from duty, nor any statutory exemption therefrom. Legislation and history of the times since the ratification of the Jay Treaty considered.

4. TREATY OF GHENT.

The Treaty of Ghent, ratified February 17, 1815, was not self-executing so far as it affected the right of Canadian Indians to enter the United States.

United States Court of Customs and Patent Appeals, March 1, 1937

(T. D. 48857)

(24 C. C. P. A. (Customs) pp. 410–88 Fed. (2) 318–302 U. S., 695)

APPEAL from United States Customs Court, T. D. 48208

Reversed.]

Joseph R. Jackson, Assistant Attorney General (*Joseph E. Weil*, special attorney, of counsel), for the United States.

George J. Moore for appellee.

[Oral argument February 8, 1937, by Mr. Weil and Mr. Moore]

Before GRAHAM, Presiding Judge, and BLAND, HATFIELD, GARRETT, and LENROOT, Associate Judges.

GRAHAM, Presiding Judge, delivered the opinion of the court:

Annie Garrow, a full-blooded Indian woman of the Canadian St. Regis tribe of Iroquois Indians, residing in Canada near the international boundary line, entered the

United States at the village of Hogansburg, N. Y., carrying twenty-four baskets made of black ash splints and dyed in colors. The collector at the port imposed a duty under paragraph 411 of the Tariff Act of 1930, which provides:

PAR. 411. Porch and window blinds, baskets, bags, chair seats, curtains, shades, or screens, any of the foregoing wholly or in chief value of bamboo, wood, straw, papier-mâché, palm leaf, or compositions of wood, not specially provided for, 50 per centum ad valorem.

The appellee protested, claiming her said baskets to be free of duty under the provisions of article III of the Treaty of Amity, Commerce, and Navigation concluded between the United States and Great Britain on November 19, 1794, commonly known as the Jay Treaty. (Treaties, Conventions, International Acts, Protocols, and Agreements between the United States and Other Powers, 1776–1909, by Malloy. Vol. 1, p. 590, Senate Document No. 357, 61st Congress, 2d Session.)

The material portions of the protest filed are as follows:

Sir: Notice of dissatisfaction is hereby given with, and protest is hereby made against your ascertainment, assessment, and liquidation of duties (including the legality of all orders and findings entering into the same), on the entry below named. The reasons for objection are as follows:

Article 3 of the Treaty of Amity, Commerce and Navigation, concluded between the United States and Great Britain on November 19, 1794, known as the Jay Treaty, reads in part as follows:

"No duty of entry shall ever be levied by either party on peltries brought by land or inland navigation into the said territories respectively, nor shall the Indians passing or repassing with their own proper goods and effects of whatever nature, pay for the same any impost or duty whatever. But goods in bales, or other large packages, unusual among Indians, shall not be considered as goods belonging bona fide to Indians."

This provision was in substance carried into the various tariff acts enacted during the period from March 2, 1799, to August 28, 1894.

The provision was repealed in the latter act of Section 34 of the Act of July 24, 1897, together with all the acts or parts of acts inconsistent with the repealing statute.

The repeal of the provision, in effect, abrogated that portion of the treaty above indicated, but as the repeal was inconsistent with the terms of the treaty, the legality of the repeal is questionable.

Upon a hearing before the United States Customs Court, in addition to the facts hereinbefore stated, it also appeared that at the time the international line was established between the Dominion of Canada and the United States of America, this line ran through the territory theretofore occupied by the St. Regis Tribe, with the result that a large number of this tribe reside on the American side and the rest of the tribe on the Canadian side, and that intercourse and communication between these portions of the tribe are continuous. It also appears that for some years the protestant, together with many others of her tribe, have been manufacturing baskets such as those in question here, for sale wherever they could be disposed of; that the protestant, on the occasion of the importation in question, was bringing the baskets across the line to dispose of them at the store of one McKinnon, who was in the business of purchasing such baskets from the Indians for resale; and that the amount received by the protestant for her baskets was $2, one-half of which was paid for duty imposed. It is also shown that the protestant was not carrying these baskets as a part of her household effects had but manufactured the same, and was importing them for sale in the United States. As the baskets were brought into the United States they were in two bundles, twelve in a bundle, the baskets in each bundle being fastened together by loops through their respective handles. Each basket was about 6 inches wide and about 8 inches high. As fastened together, they fitted into each other and made compact bundles which could be easily carried.

The United States Customs Court sustained the protest, holding that the case was controlled by *McCandless* v. *United States*, 25 F. (2d) 71, a decision of the Circuit Court of Appeals for the Third Circuit. The Government brings the matter here by appeal, and contends that the court below was in error for three specific reasons which are specified in the Government's brief, as follows:

(1) Article 3 of the Jay Treaty of 1794 was annulled by the War of 1812.

(2) Alternatively, if Article 3 of the Jay Treaty was not abrogated by the War of 1812, it is, nevertheless, in conflict with a subsequent statute. It is well settled that when a Treaty and a Statute are in conflict, that which is later in date prevails.

(3) Assuming, for the sake of argument, that Article 3 was not abrogated but is still in force and effect, the importation is not within the purview of the language of said Article 3.

On the other hand, counsel for the appellee contends that article III of the Jay Treaty of 1794 is still in full force and effect, and that under this treaty the imported goods are free of duty. The claim is thus stated:

> The appellee's claim is that Article 3 of the Jay Treaty of 1794, at least insofar as it applies to bona fide Indians, is still in effect and the merchandise in question is free from duty.

It will be necessary to examine the provisions of the involved treaty, and the legislation and history of the times since the ratification of the Jay Treaty, in order to come to a proper conclusion as to the claims of the appellee to exemption from duty.

The Jay Treaty of 1794, in article III thereof, contained the following provisions:

> It is agreed that it shall at all times be free to His Majesty's subjects, and to the citizens of the United States, and also to the Indians dwelling on either side of the said boundary line, freely to pass and repass by land or inland navigation, into the respective territories and countries of the two parties, on the continent of America (the country within the limits of the Hudson's Bay Company only excepted), and to navigate all the lakes, rivers, and waters thereof, and freely to carry on trade and commerce with each other. * * *
>
> * * * * * * *
>
> No duty of entry shall ever be levied by either party on peltries brought by land or inland navigation into the said territories respectively, nor shall the Indians passing or repassing with their own proper goods and effects of whatever nature, pay for the same any impost or duty whatever. But goods in bales, or other large packages, unusual among Indians, shall not be considered as goods belonging bona fide to Indians.

It will be observed that the quoted provisions are self-executing and granted to the Indians named therein the right to bring their own proper goods and effects of whatever nature into the United States immediately upon the ratification of the treaty, without legislation. However, irrespective of this, the Congress of the United States, in an act to regulate the collection of duties on imports and tonnage, enacted March 2, 1799 (1 Stat. 627), provided in section 105 thereof (p. 702), as follows:

> SEC. 105. *And be it further enacted*, That no duty shall be levied or collected on the importation of peltries brought into the territories of the United States, nor on the proper goods and effects of whatever nature, of Indians passing, or repassing the boundary line aforesaid, unless the same be goods in bales or other large packages unusual among Indians, which shall not be considered as goods belonging bona fide to Indians, nor be entitled to the exemption from duty aforesaid. * * *

This was the situation of affairs at the time of the declaration of war between the United States and Great Britain on June 18, 1812. This war was concluded by the Treaty of Peace made at Ghent on December 24, 1814, and ratified February 17, 1815. (See Malloy's Treaties, Conventions, etc., *supra*, pp. 612–620.) Article IX of said treaty contained the following provision, among others:

> The United States of America engage to put an end, immediately after the ratification of the present treaty, to hostilities with all the tribes or nations of Indians with whom they may be at war at the time of such ratification; and forthwith to restore to such tribes or nations, respectively, all the possessions, rights, and privileges which they may have enjoyed or been entitled to in one thousand eight hundred and eleven, previous to such hostilities: * * *.

Following the Treaty of Ghent, the Congress, on various occasions, enacted legislation dealing with duties on imports into the United States. A citation of some of these acts is given in a marginal note.[1]

These various acts were not express repeals of the preceding acts, but usually were amendatory thereof, and in most cases were introduced with the phraseology, "The duties heretofore laid by law, on goods, wares, and merchandise, imported into the United States, shall cease and determine, and there shall be levied, and collected, and paid, the several duties hereinafter mentioned", or similar language.

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[1] An act to regulate the duties on imports and tonnage, of April 27, 1816. S. L., Vol. 3, Chap. CVII.
An act in alteration of the several acts imposing duties on imports of May 19, 1828, S. L., Vol. 4, Chap. LV.
An act to alter and amend the several acts imposing duties on imports, of July 14, 1832. S. L., Vol. 4, Chap. CCXXVII.
An act to provide revenue from imports, and to change and modify existing laws imposing duties on imports, and for other purposes, of August 30, 1842. S. L., Vol. 5, Chap. CCLXX.
An act reducing the duty on imports, and for other purposes, of July 30, 1846. S. L., Vol. 9, Chap. LXXIV.
An act to provide for the payment of outstanding Treasury notes, to authorize a loan, to regulate and fix the duties on imports, and for other purposes, of March 2, 1861. S. L., Vol. 12, Chap. LXVIII.
An act to provide increased revenue from imports, to pay interest on the public debt, and for other purposes, of August 5, 1861. S. L., Vol. 12, Chap. XLV.
An act to increase the duties on tea, coffee, and sugar, of December 24, 1861. S. L., Vol. 12, Chap. II.
An act to increase duties on imports, and for other purposes, of June 30, 1864. S. L., Vol. 13, Chap. CLXXI.
An act to reduce internal taxes, and for other purposes, of July 14, 1870. S. L., Vol. 16, Chap. CCLV.
An act to reduce duties on imports, and to reduce internal taxes, and for other purposes, of June 6, 1872. S. L., Vol. 17, Chap. CCCXV.

The Congress, in the first session of the 43rd Congress of 1873–1874, caused to be issued, as a part of the Statutes at Large, a volume entitled "Revised Statutes of the United States." Herein was incorporated substantially the provision hereinbefore quoted from the statute of March 2, 1799, as section 2515. The section follows:

SEC. 2515. That no duty shall be levied or collected on the importation of peltries brought into the Territories of the United States, nor on the proper goods and effects, of whatever nature, of Indians passing or repassing the boundary-line aforesaid, unless the same be goods in bales or other large packages unusual among Indians, which shall not be considered as goods belonging to Indians, nor be entitled to the exemption from duty aforesaid.

In the revision of 1878, the same section was repeated.

It is significant that in a marginal note, printed in connection with section 2515, both in the Revised Statutes of 1873–1874 and 1878, the compiler refers to the statute of March 2, 1799, heretofore referred to.

This condition continued until, in the tariff act of March 3, 1883, S. L., Vol. 22, Chap. CXXI, a section known as section 2512 was incorporated, which is, in substance and effect, similar to the provision of the statute of 1799, heretofore quoted.

Again, in paragraph 674 of the tariff act of October 1, 1890, S. L., Vol. 26, Chap. 1244, this provision was made:

674. Peltries and other usual goods and effects of Indians passing or repassing the boundary line of the United States, under such regulations as the Secretary of the Treasury may prescribe: *Provided*, That this exemption shall not apply to goods in bales or other packages unusual among Indians.

Exactly the same provision was repeated in the tariff revision of August 27, 1894, paragraph 582, S. L., Vol. 28, Chap. 349.

The next general revision of the tariff act was that of July 24, 1897, S. L., Vol. 30, Chap. 11. The provisions which had been carried in the three preceding acts, as to the goods of Indians passing and repassing, was omitted from the said tariff act of July 24, 1897, and no reference has been made to this provision in any succeeding act. However, in not only the said act of 1897, but in succeeding acts, duties have been imposed upon goods similar to those which were imported in this case.

In the said tariff act of July 24, 1897, appeared section 34. The following portion of said section is material here, and is as follows:

SEC. 34. That sections one to twenty-four, both inclusive, of an Act entitled "An Act to reduce taxation, to provide revenue for the Government, and for other purposes," which became a law on the twenty-eighth day of August, eighteen hundred and ninety-four, and all acts and parts of acts inconsistent with the provisions of this Act, are hereby repealed, said repeal to take effect on and after the passage of this Act, * * *.

The quoted provisions of article III of the Jay Treaty of 1794 were, as we have heretofore stated, self-executing. The act of March 2, 1799, section 105, was therefore not requisite to give the provisions of said article III full force and effect, but was only confirmatory of the rights granted by said treaty.

The trial court relied strongly upon *McCandless* v. *United States*, *supra*, decided March 9, 1928. In that case, which involved a writ of habeas corpus, a full-blooded Indian of the Iroquois tribe, born in Canada, crossed the border line from Canada and was arrested on complaint of the Commissioner of Immigration for an alleged violation of law in entering the United States without complying with the immigration laws. He was ordered deported, whereupon he sued out a writ of habeas corpus. The United States District Court granted the writ and discharged the petitioner. The Circuit Court, speaking through Buffington, Circuit Judge, affirmed the order of discharge, holding that the general acts of Congress did not apply to members of the Indian tribes. Article III of the Jay Treaty was brought into question and was discussed at length. The court held that the declaration of the War of 1812 did not end the treaty rights secured to the Indians through the said Jay Treaty, so long as they remained neutral. Finally the court held that the rights granted by said article III were permanent, and were, at most, only suspended during the existence of the War of 1812. Therefore, it was held that the petitioner might pass and repass freely, under and by virtue of the provisions of said article III. This case was not appealed to the Supreme Court. This may have been occasioned by the fact that on April 2, 1928, an act of Congress was approved which provided that the Immigration Act of 1924 should not apply to Indians crossing the international border (45 Stat. 401).

In 1929, the case of *Karnuth, Director of Immigration, et al.* v. *United States ex rel. Albro,* came before the Supreme Court, and was decided. (279 U. S. 231.) A writ of habeas corpus had been sued out on behalf of two aliens who were detained by immigration officials, and who had entered this country from Canada. The respondent Mary Cook was a British subject, born in Scotland, who came to Canada in 1924. The respondent Antonio Danelon was a native of Italy who came to Canada in 1923. These persons resided at Niagara Falls, Ontario. The latter claimed to be a Canadian citizen, by reason of his father's naturalization. Both respondents had been crossing back and forth over the boundary line, in pursuance of employment in the United States, for a considerable period before their detention. The Federal District Court sustained the action of the immigration officials, and dismissed the writ. This judgment, on appeal, was reversed by the Circuit Court of Appeals, which held that if the statute were so construed as to exclude the aliens in question, it would conflict with article III of the Jay Treaty of 1794. Certiorari was granted and the case came before the Supreme Court. That court referred to the hereinbefore quoted provisions of said article III of the Jay Treaty. The contention made by Government counsel was that the treaty provision relied on was abrogated by the War of 1812, and it was upon this point that the case was decided. The court, speaking through Mr. Justice Sutherland, expressed the views that the doctrine that war *ipso facto* annuls treaties of every kind between the warring nations was repudiated by the great weight of modern authority, and that whether the stipulations of a treaty are annulled by war depends upon their intrinsic character. The court cites, as instances of treaty obligations which remain in force during the state of war, such treaties as those of—

cession, boundary, and the like; provisions giving the right to citizens or subjects of one of the high contracting powers to continue to hold and transmit land in the territory of the other; and, generally, provisions which represent completed acts.

On the other hand, the court held that treaties of—

amity, of alliance, and the like, having a political character, the object of which "is to promote relations of harmony between nation and nation", are generally regarded as belonging to the class of treaty stipulations that are absolutely annulled by war.

Pursuing the matter further, the Supreme Court said, in part:

These cases are cited by respondents and relied upon as determinative of the effect of the War of 1812 upon Article III of the treaty. This view we are unable to accept. Article IX and Article III relate to fundamentally different things. Article IX aims at perpetuity and deals with existing rights, vested and permanent in character, in respect of which, by express provision, neither the owners nor their heirs or assigns are to be regarded as aliens. These are rights which, by their very nature, are fixed and continuing, regardless of war or peace. But the privilege accorded by Article III is one created by the treaty, having no obligatory existence apart from that instrument, dictated by considerations of mutual trust and confidence, and resting upon the presumption that the privilege will not be exercised to unneighborly ends. It is, in no sense, a vested right. It is not permanent in its nature. It is wholly promissory and prospective and necessarily ceases to operate in a state of war, since the passing and repassing of citizens or subjects of one sovereignty into the territory of another is inconsistent with a condition of hostility. See 7 Moore's Digest of International Law, § 1135; 2 Hyde, International Law, § 606. The reasons for the conclusion are obvious—among them, that otherwise the door would be open for treasonable intercourse. And it is easy to see that such freedom of intercourse also may be incompatible with conditions following the termination of the war. Disturbance of peaceful relations between countries occasioned by war, is often so profound that the accompanying bitterness, distrust, and hate indefinitely survive the coming of peace. The causes, conduct, or result of the war may be such as to render a revival of the privilege inconsistent with a new or altered state of affairs. The grant of the privilege connotes the existence of normal peaceful relations. When these are broken by war, it is wholly problematic whether the ensuing peace will be of such character as to justify the neighborly freedom of intercourse which prevailed before the rupture. It follows that the provision belongs to the class of treaties which does not survive war between the high contracting parties, in respect of which, we quote, as opposite, the words of a careful writer on the subject: * * *

* * * * * * *

These expressions and others of similar import which might be added, confirm our conclusion that the provision of the Jay Treaty now under consideration was brought to an end by the War of 1812, leaving the contracting powers discharged from all obligation in respect thereto, and, in the absence of a renewal, free to deal with the matter as their views of national policy, respectively, might from time to time dictate.

Finally, the judgment of the Circuit Court of Appeals was reversed, and the action of the Commissioner of Immigration was sustained.

The view of the Supreme Court on this interesting question, expressed in the case last cited, was confirmatory of views held by that court from the initiation of our Government. See *Society for the Propagation of the Gospel in Foreign Parts* v. *Town of New Haven and William Wheeler*, 8 Wheat. 464 (494).

It was also obviously in conformity with the current of authority both in the United States and England. Moore's International Law Digest, Vol. V, paragraph 779.

It is contended by the appellee that some distinction should be made between the members of an Indian tribe and the immigrants in the *Karnuth* case, *supra*. We know of no authority which states or indicates that any such distinction exists, especially as to Indians domiciled in a foreign country. There is no such line of demarcation indicated in the opinion of Mr. Justice Sutherland, hereinbefore quoted. If article III of the Jay Treaty was nullified by the War of 1812, as to Canadian citizens or subjects, it certainly was nullified, so far as Indians residing in Canada were concerned, for, although wards of the Canadian government, they were certainly within the category of citizens or subjects.

We think, therefore, it must be said that so far as the provision under which the appellee here claims is concerned, the War of 1812 ended the right which the appellee now claims of bringing her goods across the border and into the United States without the payment of duty.

However, the War of 1812 did not annul or repeal the tariff act of March 2, 1799, which was still in full force and effect during the entire period of the duration of the war.

The Treaty of Ghent of 1814, article IX, as it will be observed, was not self-executing. It constituted a contract on the part of the United States of America that it would, by the necessary legislation,

> restore to such tribes or nations, respectively, all the possessions, rights and privileges which they may have enjoyed or been entitled to in one thousand eight hundred and eleven, previous to such hostilities: * * *.

So far as we are advised, no such ratifying legislation was ever enacted. Presumably it was not thought necessary to do so, so far as Indian rights are concerned, as at that time the cited provision in the tariff act of March 2, 1799, was in full force and effect, and had been so since its enactment.

Evidently, in the congressional enactments known as the Revised Statutes of 1873–1874 and 1878, Congress still considered said act of March 2, 1799, in full force and effect. It was so noted in marginal notes, and was considered as a part of the statutory law of the land at those times.

The Congress, as has been stated, reenacted the said provision of the act of March 2, 1799, in the tariff act of March 3, 1883, in section 2512 thereof. In the tariff act of October 1, 1890, paragraph 674, a reenactment of this provision was made with changed language; that is, instead of permitting the free entry of peltries of every kind, the language implies that only peltries of Indians should be admitted free of duty, and then under such regulation as the Secretary of the Treasury should prescribe. This was also the purport of the revision of August 27, 1894, paragraph 582.

Thus far the rights of the Indians of Canada to bring their peltries and goods into the United States free of duty were, if we concede the facts and conclusions hereinbefore stated, granted by statute and not by treaty, at least after the declaration of the War of 1812.

In 1897, when a general revision of the import duty laws of the United States was undertaken, apparently there was a change in congressional policy, as the provision for the free entry of peltries and goods of Indians was omitted from that revision, and duties were generally imposed by various provisions of said act upon the goods herein involved.

As will be noted by the hereinbefore quoted portion of section 34 of the tariff act of July 24, 1897, said section expressly repealed certain of the provisions of the tariff act of August 28, 1894, and added this in the repealing act: "* * * all acts and parts of acts inconsistent with the provisions of this Act."

In the protest of the appellee, it will be noted that appellee concedes that said section 34 repealed the hereinbefore mentioned provisions of the tariff acts of March 2, 1799, and of August 28, 1894. Irrespective of this concession, it must be manifest

At the time of the entry of the goods here in question, therefore, there was no provision of the law exempting the said goods of the appellee from duty, but in fact they were especially made dutiable under paragraph 411 of the Tariff Act of 1930, as hereinbefore indicated. There being neither any treaty exemption of appellee's goods from duty, nor any statutory exemption thereof, it follows that they are dutiable, as claimed by the collector.

This being our conclusion, it is unnecessary to decide the other points presented by counsel for the Government.

The judgment of the United States Customs Court is, therefore, *reversed.*

OPINION OF SOLICITOR FOR THE DEPARTMENT OF THE INTERIOR ON POWERS OF INDIAN TRIBES

(Decisions of the Department of the Interior, Vol. 55, p. 14)

SUMMARY

Under Section 16 of the Wheeler-Howard Act (Public No. 383, 73d Congress) the "powers vested in any Indian tribe or tribal council by existing law", are those powers of local self-government which have never been terminated by law or waived by treaty. Among these powers are the following:

1. The power to adopt a form of government, to create various offices and to prescribe the duties thereof, to provide for the manner of election and removal of tribal officers, to prescribe the procedure of the tribal council and subordinate committees or councils, to provide for the salaries or expenses of tribal officers and other expenses of public business, and, in general, to prescribe the forms through which the will of the tribe is to be executed.

2. To define the conditions of membership within the tribe, to prescribe rules for adoption, to classify the members of the tribe and to grant or withhold the right of tribal suffrage and to make all other necessary rules and regulations governing the membership of the tribe so far as may be consistent with existing acts of Congress governing the enrollment and property rights of members.

3. To regulate the domestic relations of its members.

4. To prescribe rules of inheritance with respect to all personal property and all interests in real property other than regular allotments of land.

5. To levy dues, fees, or taxes upon the members of the tribe and upon non-members residing or doing any business of any sort within the reservation, so far as may be consistent with the power of the Commissioner of Indian Affairs over licensed traders.

6. To remove or to exclude from the limits of the reservation non-members of the tribe, excepting authorized Government officials and other persons now occupying reservation lands under lawful authority, and to prescribe appropriate rules and regulations governing such removal and exclusion, and governing the conditions under which non-members of the tribe may come upon tribal land or have dealings with tribal members, providing such acts are consistent with Federal laws governing trade with the Indian tribes.

7. To regulate the use and disposition of all property within the jurisdiction of the tribe, and to make public expenditures of tribal funds, where legal title to such funds lies in the tribe.

8. To administer justice with respect to all disputes and offenses of or among the members of the tribe, other than the ten major crimes reserved to the Federal courts.

9. To prescribe the duties and to regulate the conduct of Federal employees, but only in so far as such powers of supervision may be expressly delegated by the Interior Department.

UNITED STATES DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SOLICITOR,
Washington, October 25, 1934.

M-27781.

The Honorable The SECRETARY OF THE INTERIOR.

MY DEAR MR. SECRETARY: My opinion has been requested on the question of what powers may be secured to an Indian tribe and incorporated in its constitution and bylaws by virtue of the following phrase, contained in section 16 of the Wheeler-Howard Act (Public No. 383, 73d Congress):

> In addition to *all powers vested in any Indian tribe or tribal council by existing law,* the constitution adopted by said tribe shall also vest * * *.

The question of what powers are vested in an Indian tribe or tribal council by existing law cannot be answered in detail for each Indian tribe without reference to hundreds of special treaties and special acts of Congress. It is possible, however, on the basis of the reported cases, the written opinions of the various Executive departments, and those statutes of Congress which are of general import, to define the powers which have heretofore been recognized as lawfully within the jurisdiction of an Indian tribe. My answer to the propounded question, then, will be general, and subject to correction for particular tribes in the light of the treaties and statutes affecting such tribe wherever such treaties or statutes contain peculiar provisions restricting or enlarging the general authority of an Indian tribe.

In analyzing the meaning of the phrase in question, I note that the general confirmation of powers already recognized, is found in conjunction with specific grants of the following powers: "To employ legal counsel, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior; to prevent the sale, disposition, lease, or encumbrance of tribal lands, interests in lands, or other tribal assets without the consent of the tribe; and to negotiate with the Federal, State, and local Governments." Furthermore, when a constitution has been adopted by a majority of the adults of an Indian tribe or tribes residing on the same reservation, the Secretary of the Interior is directed to "advise such tribe or its tribal council of all appropriation estimates or Federal projects for the benefit of the tribe prior to the submission of such estimates to the Bureau of the Budget and the Congress."

I note, also, as relevant to the question of construction, that one of the stated purposes of the Act in question is "to grant certain rights of home rule to Indians."

I assume, finally, that any ambiguity in the phrase which I am asked to interpret ought to be resolved in accordance with:

> * * * the general rule that statutes passed for the benefit of dependent Indian tribes or communities are to be liberally construed, doubtful expressions being resolved in favor of the Indians. *Alaska Pacific Fisheries* v. *United States* (248 U. S. 78, 89).

And see, to the same effect, *Seufert Bros. Co.* v. *United States* (249 U. S. 194); *Choate* v. *Trapp* (224 U. S. 665); *Jones* v. *Meehan* (175 U. S. 1).

Bearing these considerations in mind, I have no doubt that the phrase "powers vested in any Indian tribe or tribal council by existing law" does not refer merely to those powers which have been specifically granted by the express language of treaties or statutes, but refers rather to the whole body of tribal powers which courts and Congress alike have recognized as properly wielded by Indian tribes, whether by virtue of specific statutory grants of power, or by virtue of the original sovereignty of the tribe in so far as such sovereignty has not been curtailed by restrictive legislation or surrendered by treaties. Had the intent of Congress been to limit the powers of an Indian tribe to those previously granted by special legislation, it would naturally have referred to "existing laws" rather than "existing law" as the source of such powers. The term "law" is a broader term than the term "laws" and includes, as well as "laws", the materials of judicial decisions, treaties, constitutional provisions and practices, and other sources controlling the decisions of courts. Furthermore, it was clearly not the purpose of Congress to narrow the body of tribal powers which have heretofore been recognized by the courts. It would therefore be contrary to the manifest intent of the

Act to interpret this phrase in a narrow sense as referring only to express statutory grants of specific powers.

Perhaps the most basic principle of all Indian law, supported by a host of decisions hereinafter analyzed, is the principle that *those powers which are lawfully vested in an Indian tribe are not, in general, delegated powers granted by express acts of Congress, but rather inherent powers of a limited sovereignty which has never been extinguished.* Each Indian tribe begins its relationship with the Federal Government as a sovereign power, recognized as such in treaty and legislation. The powers of sovereignty have been limited from time to time by special treaties and laws designed to take from the Indian tribes control of matters which, in the judgment of Congress, these tribes could no longer be safely permitted to handle. The statutes of Congress, then, must be examined to determine the limitations of tribal sovereignty rather than to determine its sources or its positive content. What is not expressly limited remains within the domain of tribal sovereignty, and therefore properly falls within the statutory category, "powers vested in any Indian tribe or tribal council by existing law."

The acts of Congress which appear to limit the powers of an Indian tribe are not to be unduly extended by doubtful inference. What was said in the case of *In re Mayfield* (141 U. S. 107) is still pertinent:

> The policy of Congress has evidently been to vest in the inhabitants of the Indian country such power of self-government as was thought to be consistent with the safety of the white population with which they may have come in contact, and to encourage them as far as possible in raising themselves to our standard of civilization. We are bound to recognize and respect such policy and to construe the acts of the legislative authority in consonance therewith. * * * (At pp. 115–116.)

THE DERIVATION AND SCOPE OF INDIAN TRIBAL POWERS

From the earliest years of the Republic the Indian tribes have been recognized as "distinct, independent, political communities" (*Worcester* v. *Georgia*, 6 Pet. 515, 559), and, as such, qualified to exercise powers of self-government, not by virtue of any delegation of powers from the Federal Government, but rather by reason of their original tribal sovereignty. Thus treaties and statutes of Congress have been looked to by the courts as limitations upon original tribal powers, or, at most, evidences of recognition of such powers rather than as the direct source of tribal powers. This is but an application of the general principle that "It is only by positive enactments, even in the case of conquered and subdued nations, that their laws are changed by the conqueror" (*Wall* v. *Williamson*, 8 Ala. 48, 51, upholding tribal law of divorce).

In point of form it is immaterial whether the powers of an Indian tribe are expressed and exercised through customs handed down by word of mouth or through written constitutions and statutes. In either case the laws of the Indian tribe owe their force to the will of the members of the tribe.

The earliest complete expression of these principles is found in the case of *Worcester* v. *Georgia* (6 Pet. 515). In that case the State of Georgia, in its attempts to destroy the tribal government of the Cherokees, had imprisoned a white man living among the Cherokees with the consent of the tribal authorities. The Supreme Court of the United States held that his imprisonment was in violation of the Constitution, that the State had no right to infringe upon the Federal power to regulate intercourse with the Indians, and that the Indian tribes were, in effect, wards of the Federal Government entitled to exercise their own inherent rights of sovereignty so far as might be consistent with Federal law. The court declared, per Marshall, C. J.:

> The Indian nations had always been considered as distinct, independent, political communities, * * *. (At p. 559.)
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> * * * and the settled doctrine of the law of nations is, that a weaker power does not surrender its independence—its right to self-government—by associating with a stronger, and taking its protection. A weak state, in order to provide for its safety, may place itself under the protection of one more powerful, without stripping itself of the right of government, and ceasing to be a state. Examples of this kind are not wanting in Europe. "Tributary and feudatory states," says Vattel, "do not thereby cease to be sovereign and independent states, so long as self-government, and sovereign and independent authority, are left in the administration of the state." At the present day, more than one state may be considered as holding its right of self-government under the guarantee and protection of one or more allies.
>
> The Cherokee nation then, is a distinct community, occupying its own territory, with boundaries accurately described, in which the laws of Georgia can have no force, and which the citizens of Georgia have no right to enter, but with the assent of the Cherokees themselves, or in conformity with treaties,

and with the acts of congress. The whole intercourse between the United States and this nation, is, by our constitution and laws, vested in the government of the United States. The act of the state of Georgia, under which the plaintiff in error was prosecuted, is, consequently void, and the judgment a nullity. * * * (At pp. 560–561.)

In the recent case of *Patterson* v. *Council of Seneca Nation* (245 N. Y. 433, 157 N. E. 734) the New York Court of Appeals gave careful consideration to the present status of the Seneca tribe and of its legislative and judicial organs of government. Reviewing the relevant Federal cases, the court reached the conclusion that the powers which the Seneca Council and the Seneca Peacemakers' Court sought to exercise were powers derived from the sovereignty of the Seneca Nation, and that no act of New York State could diminish this sovereignty although proper legislation, enacted at the request of the Indians themselves, might supplement the provisions of the tribal constitution. After reviewing the relevant State legislation, the court declared:

* * * Thus did the Seneca Nation, far from abdicating its sovereign powers, set up a strong central government, distribute all governmental powers among three departments, empower a legislative body to be called the "Councillors of the Seneca Nation" to make necessary laws, create a president to execute them, and establish a Peacemakers' Court and a Surrogate's Court to interpret the laws of the Nation and decide causes. Thus did the Legislature of the state of New York twice approve of the Constitution adopted and the government set up. It was not accurate to say, therefore, that the state of New York in the year 1849 "assumed governmental control" of the Indians. On the contrary, in that year and subsequently, by its approval of the Indian Constitution in its original and amended form, the state of New York acknowledged the Seneca Indians to be a separate nation, a self-governing people, having a central government with appropriate departments to make laws, to administer and to interpret them. * * *

The force of the Seneca Constitution, the court found, derived not from the sovereignty of New York State, but from the original sovereignty of the Seneca Nation:

Various statutes passed by the New York Legislature in relation to the Indians are now embodied in the "Indian Law." Article 4 of that law is entitled "The Seneca Indians." It doubtless embodies the statutes passed pursuant to the request of the Seneca Nation contained in its Constitution of 1848. This article purports to set up a government for the Seneca Nation, consisting of three departments, exactly as provided in the Indian Constitution. It must be held, however, that the Indian Nation itself created these departments and the system of government set up by its Constitution, the force of which had been expressly acknowledged by the New York Legislature. It purported to set up a Peacemakers' Court. The source of jurisdiction of that court, however, was the Indian Constitution, not the Indian Law. Thus, in Mulkins v. Snow, supra, this court said:

"The Peacemakers' Court is not a mere statutory local court of inferior jurisdiction. It is an Indian court, which has been recognized and given strength and authority by statute. It does not owe its existence to the state statute and is only in a qualified sense a state court." * * *

* * * * * * *

The respondent argues that the jurisdiction of the Peacemakers' Court is limited by the Indian Law (section 46) to "matters, disputes, and controversies between any Indians residing upon such reservation" which may arise upon "contracts or for wrongs." We answer that the Peacemakers' Court is the creation not of the state but of the Indian Constitution; that by such Constitution, as amended in 1898, the Peacemakers' Courts are given "exclusive jurisdiction in all civil causes arising between individual Indians residing on said reservations, except those which the Surrogate's Courts have jurisdiction of", without reference to "contracts" or to "wrongs". The Indian Law does not deny comprehensive jurisdiction; it merely fails to use terms apparently bestowing it. The Indian Constitution does bestow it. * * *

Thus the doctrine first laid down by Chief Justice Marshall in the early years of the Republic was reaffirmed but a few years ago with undiminished vigor by the New York Court of Appeals.

The whole course of judicial decision on the nature of Indian tribal powers is marked by adherence to three fundamental principles: An Indian tribe possesses, in the first instance, all the powers of any sovereign State. Conquest renders the tribe subject to the legislative power of the United States and, in substance, terminates the external powers of sovereignty of the tribe,[1] e. g., its power to enter into treaties with foreign nations, but does not by itself affect the internal sovereignty of the tribe, i. e., its powers of local self-government. These powers are subject to be qualified by treaties and by express legislation of Congress, but save as thus expressly qualified, full powers of internal sovereignty are vested in the Indian tribes and in their duly constituted organs of government.

[1] Certain external powers of sovereignty, such as the power to make treaties with the United States, have been recognized by the Federal Government. And *cf. Montoya* v. *United States* (180 U. S. 261); *Scott* v. *United States* and *Apache Indians* (33 Ct. Cl. 486); *Dobbs* v. *United States* and *Apache Indians* (33 Ct. Cl. 308). The treaty-making power of the Indian tribes was terminated by the act of March 3, 1871 (U. S. Code, Title 25, Sec. 71).

A most striking affirmation of these principles is found in the case of *Talton* v. *Mayes* (163 U. S. 376). The question was presented in that case whether the Fifth Amendment of the Federal Constitution operated as a limitation upon the legislation of the Cherokee Nation. A law of the Cherokee Nation authorized a grand jury of five persons to institute criminal proceedings. A person indicted under this procedure and held for trial in the Cherokee courts sued out a writ of habeas corpus, alleging that the law in question violated the Fifth Amendment to the Constitution of the United States, since a grand jury of five was not a grand jury within the contemplation of the Fifth Amendment. The Supreme Court held that the Fifth Amendment applied only to the acts of the Federal Government; that the sovereign powers of the Cherokee Nation, although *recognized* by the Federal Government, were not *created* by the Federal Government; and that the judicial authority of the Cherokees was, therefore, not subject to the limitations imposed by the bill of rights:

> The question, therefore, is, does the Fifth Amendment to the Constitution apply to the local legislation of the Cherokee nation so as to require all prosecutions for offences committed against the laws of that nation to be initiated by a grand jury organized in accordance with the provisions of that amendment. The solution of this question involves an inquiry as to the nature and origin of the power of local government exercised by the Cherokee nation and recognized to exist in it by the treaties and statutes above referred to. Since the case of *Barron* v. *Baltimore*, 7 Pet. 243, it has been settled that the Fifth Amendment to the Constitution of the United States is a limitation only upon the powers of the General Government, that is, that the amendment operates solely on the Constitution itself by qualifying the powers of the National Government which the Constitution called into being.
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> * * * * * * *
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> The case in this regard therefore depends upon whether the powers of local government exercised by the Cherokee nation are Federal powers created by and springing from the Constitution of the United States, and hence controlled by the Fifth Amendment to that Constitution, or whether they are local powers not created by the Constitution, although subject to its general provisions and the paramount authority of Congress. The repeated adjudications of this court have long since answered the former question in the negative. In Cherokee Nation v. Georgia, 5 Pet. 1, which involved the right of the Cherokee nation to maintain an original bill in this court as a foreign State, which was ruled adversely to that right, speaking through Mr. Chief Justice Marshall, this court said (p. 16):
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> "Is the Cherokee nation a foreign State in the sense in which that term is used in the Constitution?
>
> "The counsel for the plaintiffs have maintained the affirmative of this proposition with great earnestness and ability. So much of the argument as was intended to prove the character of the Cherokees as a State, as a distinct political society, separated from others, capable of managing its own affairs and governing itself, has, in the opinion of a majority of the judges, been completely successful. They have been uniformly treated as a State from the settlement of our country. The numerous treaties made with them by the United States recognize them as a people capable of maintaining the relations of peace and war, of being responsible in their political character for any violation of their engagements or for any aggression committed on the citizens of the United States by any individual of their community. Laws have been enacted in the spirit of these treaties. The acts of our government plainly recognize the Cherokee nation as a State, and the courts are bound by those acts."
>
> It cannot be doubted, as said in *Worcester* v. *The State of Georgia*, 6 Pet. 515, 559, that prior to the formation of the Constitution treaties were made with the Cherokee tribes by which their autonomous existence was recognized. And in that case Chief Justice Marshall also said (p. 559):
>
> "The Indian nations had always been considered as distinct, independent political communities, retaining their original natural rights. * * * The very term 'nation,' so generally applied to them, means a 'people distinct from others.' The Constitution, by declaring treaties already made, as well as those to be made, to be the supreme law of the land, has adopted and sanctioned the previous treaties with the Indian nations, and consequently admits their rank among those powers who are capable of making treaties."
>
> In reviewing the whole subject in *Kagama* v. *United States*, 118 U. S. 375, this court said (p. 381):
>
> "With the Indians themselves these relations are equally difficult to define. They were, and always have been, regarded as having a semi-independent position when they preserved their tribal relations; not as States, not as nations, not as possessed of the full attributes of sovereignty, but was a separate people with the power of regulating their internal and social relations, and thus far not brought under the laws of the Union, or of the State within whose limits they resided."
>
> True it is that in many adjudications of this court the fact has been fully recognized, that although possessed of these attributes of local self government, when exercising their tribal functions, all such rights are subject to the supreme legislative authority of the United States. *Cherokee Nation* v. *Kansas Railway Co.*, 135 U. S. 641, where the cases are fully reviewed. But the existence of the right in Congress to regulate the manner in which the local powers of the Cherokee nation shall be exercised does not render such local powers Federal powers arising from and created by the Constitution of the United States. It follows that as the powers of local self government enjoyed by the Cherokee nation existed prior to the Constitution, they are not operated upon by the Fifth Amendment, which, as we have said, had for its sole object to control the powers conferred by the Constitution on the National Government. * * * (At pp. 382–384.)

And see, to the same effect, *Ex parte Tiger* (2 Ind. T. 41, 47 S. W. 304). It is recognized, of course, that those provisions of the Federal Constitution which are completely general in scope, such as the Thirteenth Amendment, apply to the members of Indian tribes as well as to all other inhabitants of the nation. In re *Sah Quah* (31 Fed. 327).

Added recognition of the sovereign character of an Indian tribe is found in the case of *Turner* v. *United States and Creek Nation* (51 Ct. Cls. 125, aff'd 248 U. S. 354). Rejecting a claim against the Creek Nation based upon the allegedly illegal acts of groups of Indians in destroying the fence of a cattle company, the Court of Claims declared:

> * * * we must apply the rule of law applicable to established governments under similar conditions. It is a familiar rule that in the absence of a statute declaring a liability therefor neither the sovereign nor the governmental subdivisions, such as counties or municipalities, are responsible to the party injured in his person or estate by mob violence. * * * (At p. 153.)

An extreme application of the doctrine of tribal sovereignty is found in the case of *Ex parte Crow Dog* (109 U. S. 556), in which it was held that the murder of one Sioux Indian by another upon an Indian reservation was not within the criminal jurisdiction of any court of the United States, but that only the Indian tribe itself could punish the offense.

The contention that the United States courts had jurisdiction in a case of this sort was based upon the language of a treaty with the Sioux, rather than upon considerations applicable generally to the various Indian tribes. The most important of the treaty clauses upon which the claim of Federal jurisdiction was based provided:

> And Congress shall, by appropriate legislation, secure to them an orderly government; they shall be subject to the laws of the United States, and each individual shall be protected in his rights of property, person, and life. (At p. 568.)

Commenting upon this clause, the Supreme Court declared:

> It is equally clear, in our opinion, that these words can have no such effect as that claimed for them. The pledge to secure to these people, with whom the United States was contracting as a distinct political body, an orderly government, by appropriate legislation thereafter to be framed and enacted, necessarily implies, having regard to all the circumstances attending the transaction, that among the arts of civilized life, which it was the very purpose of all these arrangements to introduce and naturalize among them, was the highest and best of all, that of self-government, the regulation by themselves of their own domestic affairs, the maintenance of order and peace among their own members by the administration of their own laws and customs. They were nevertheless to be subject to the laws of the United States, not in the sense of citizens, but, as they had always been, as wards subject to a guardian; not as individuals, constituted members of the political community of the United States, with a voice in the selection of representatives and the framing of the laws, but as a dependent community who were in a state of pupilage, advancing from the condition of a savage tribe to that of a people, who, through the discipline of labor and by education, it was hoped might become a self-supporting and self-governed society. * * * (At pp. 568–569.)

In finally rejecting the argument for Federal jurisdiction the Supreme Court declared:

> * * * It is a case where, against an express exception in the law itself, that law, by argument and inference only, is sought to be extended over aliens and strangers; over the members of a community separated by race, by tradition, by the instincts of a free through savage life, from the authority and power which seeks to impose upon them the restraints of an external and unknown code, and to subject them to the responsibilities of civil conduct, according to rules and penalties of which they could have no previous warning; which judges them by a standard made by others and not for them, which takes no account of the conditions which should except them from its exactions, and makes no allowance for their inability to understand it. (At p. 571.)

The force of the decision in *Ex parte Crow Dog* was not weakened, although the scope of the decision was limited, by subsequent legislation which withdrew from the rule of tribal sovereignty a list of seven major crimes, only recently extended to ten.[1] Over these specified crimes jurisdiction has been vested in the Federal courts. Over all other crimes, including such serious crimes as kidnaping, attempted murder, receiving stolen goods, and forgery, jurisdiction resides not in the courts of Nation or State but only in the Indian tribe itself.

We shall defer the question of the exact scope of tribal jurisdiction for more detailed consideration at a later point. We are concerned for the present only in analyzing the basic doctrine of tribal sovereignty. To this doctrine the case of *Ex parte Crow Dog*

[1] U. S. Code, Title18, sec. 548, analyzed *infra*, under heading, "The Powers of an Indian Tribe in the Administration of Justice."

contributes not only an intimation of the vast and important content of criminal jurisdiction inherent in tribal sovereignty, but also an example of the consistent manner in which the United States Supreme Court has opposed the efforts of lower courts and administrative officials to infringe upon tribal sovereignty and to assume tribal prerogatives without statutory justification. The legal powers of an Indian tribe, measured by the decisions of the highest courts, are far more extensive than the powers which most Indian tribes have been actually permitted by omnipresent officials to exercise in their own right.

The doctrine of tribal sovereignty is well summarized in the following passage in the case of *In Re Sah Quah* (31 Fed. 327):

> From the organization of the government to the present time, the various Indian tribes of the United States have been treated as free and independent within their respective territories, governed by their tribal laws and customs, in all matters pertaining to their internal affairs, such as contracts and the manner of their enforcement, marriage, descents, and the punishment for crimes committed against each other. They have been excused from all allegiance to the municipal laws of the whites as precedents or otherwise in relation to tribal affairs, subject, however, to such restraints as were from time to time deemed necessary for their own protection, and for the protection of the whites adjacent to them. *Cherokee Nat.* v. *Georgia*, 5 Pet. 1, 16, 17; *Jackson* v. *Goodell*, 20 Johns, 193. (At p. 329.)

And in the case of *Anderson* v. *Mathews* (174 Cal. 537, 163 Pac. 902), it was said:

> * * * The Indian tribes recognized by the Federal government are not subject to the laws of the State in which they are situated. They are under the control and protection of the United States, but they retain the right of local self-government, and they regulate and control their own local affairs and rights of persons and property, except as Congress has otherwise specially provided by law. * * * (At 163 Pac. 905.)

See, also, to the same effect, Story's Commentaries, Sec. 1099; 3 Kent's Commentaries (14th ed.) 383–386.

The acknowledgment of tribal sovereignty or autonomy by the courts of the United States has not been a matter of lip service to a venerable but outmoded theory. The doctrine has been followed through the most recent cases, and from time to time carried to new implications. Moreover, it has been administered by the courts in a spirit of whole-hearted sympathy and respect. The painstaking analysis by the Supreme Court of tribal laws and constitutional provisions in the *Cherokee Intermarriage Cases* (203 U. S. 706) is typical, and exhibits a degree of respect proper to the laws of a sovereign state. If verbal recognition is needed, there is the glowing tribute which Judge Nott pays to this same Cherokee Constitution in the case of *Journeycake* v. *Cherokee Nation and United States* (28 Ct. Cls. 281, 317–318):

> The constitution of the Cherokees was a wonderful adaptation to the circumstances and conditions of the time, and to a civilization that was yet to come. It was framed and adopted by a people some of whom were still in the savage state, and the better portion of whom had just entered upon that stage of civilization which is characterized by industrial pursuits; and it was framed during a period of extraordinary turmoil and civil discord, when the greater part of the Cherokee people had just been driven by military force from their mountains and valleys in Georgia, and been brought by enforced immigration into the country of the Western Cherokees; when a condition of anarchy and civil war reigned in the territory—a condition which was to continue until the two branches of the nation should be united under the treaty of 1846 (27 C. Cls. R., 1); yet for more than half a century it has met the requirements of a race steadily advancing in prosperity and education and enlightenment so well that it has needed, so far as they are concerned, no material alteration or amendment, and deserves to be classed among the few great works of intelligent statesmanship which outlive their own time and continue through succeeding generations to assure the rights and guide the destinies of men. And it is not the least of the successes of the constitution of the Cherokees that the judiciary of another nation are able, with entire confidence in the clearness and wisdom of its provisions, to administer it for the protection of Cherokee citizens and the maintenance of their personal and political rights. (At pp. 317–318.)

The sympathy of the courts towards the independent efforts of Indian tribes to administer the institutions of self-government has led to the doctrine that Indian laws and statutes are to be interpreted not in accordance with the technical rules of the common law, but in the light of the traditions and circumstances of the Indian people. An attempt in the case of *Ex parte Tiger* (47 S. W. 304, 2 Ind. T. 41) to construe the language of the Creek Constitution in a technical sense was met by the appropriate judicial retort:

> If the Creek Nation derived its system of jurisprudence through the common law, there would be much plausibility in this reasoning. But they are strangers to the common law.[1] They derive their

[1] See *Waldron* v. *United States*, 143 Fed. 413; *Hanson* v. *Johnson*, 246 Pac. 868 (Okla.).

jurisprudence from an entirely different source, and they are as unfamiliar with common-law terms and definitions as they are with Sanskrit or Hebrew. With them, "to indict" is to file a written accusation charging a person with a crime.

So, too, in the case of *McCurtain* v. *Grady* (1 Ind. T. 107, 38 S. W. 65) the court had occasion to note that:

> The Choctaw constitution was not drawn by geologists or for geologists, or in the interests of science, or with scientific accuracy. It was framed by plain people, who have agreed among themselves what meaning should be attached to it, and the courts should give effect to that interpretation which its framers intended it should have.

The realm of tribal autonomy which has been so carefully respected by the courts, has been implicitly confirmed by Congress in a host of statutes providing that various administrative acts of the President or the Interior Department shall be done only with the consent of the Indian tribe or its chiefs or council.

Thus, U. S. Code, title 25, section 63, provides that the President may "consolidate one or more tribes, and abolish such agencies as are thereby rendered unnecessary," but that such action may be undertaken only "with the consent of the tribes to be affected thereby, expressed in the usual manner."

Section 111 of the same title provides that payments of moneys and distribution of goods for the benefit of any Indians or Indian tribes shall be made either to the heads of families and individuals directly entitled to such moneys or goods or else to the chiefs of the tribe, for the benefit of the tribe, or to persons appointed by the tribe for the purpose of receiving such moneys or goods. This section finally provides that such moneys or goods "by consent of the tribe" may be applied directly by the Secretary to purposes conducive to the happiness and prosperity of the tribe.

Section 115 of the same title provides:

> The President may, at the request of any Indian tribe, to which an annuity is payable in money, cause the same to be paid in goods, purchased as provided in section 91.

Section 140 of the same title provides that specific appropriations for the benefit of Indian tribes may be diverted to other uses "with the consent of said tribes, expressed in the usual manner."

Other statutory provisions of general import, confirming or delegating specific powers to the Indian tribes or their officers, are: U. S. Code, title 25, section 48, section 130, section 132, section 159, section 162, section 184, section 218, section 225, section 229, section 371, section 397, section 398, section 402. These latter provisions are discussed later under relevant headings.

The whole course of Congressional legislation with respect to the Indians has been based upon a recognition of tribal autonomy, qualified only where the need for other types of governmental control has become clearly manifest. As was said in a report of the Senate Judiciary Committee (prior to the enactment of U. S. Code, title 18, sec. 548): "Their right of self-government, and to administer justice among themselves, after their rude fashion, even to inflicting the death penalty, has never been questioned." (Sen. Rep. No. 268, 41st Congress, 3d session.)

It is a fact that State governments and administrative officials have frequently trespassed upon the realm of tribal autonomy, presuming to govern the Indian tribes through State law or departmental regulation or arbitrary administrative fiat, but these trespasses have not impaired the vested legal powers of local self-government which have been recognized again and again when these trespasses have been challenged by an Indian tribe. "Power and authority rightfully conferred do not necessarily cease to exist in consequence of long non-user." (*United States ex rel. Standing Bear* v. *Crook*, 5 Dill. 453, 460.) The Wheeler-Howard Act, by affording statutory recognition of these powers of local self-government and administrative assistance in developing adequate mechanisms for such government, may reasonably be expected to end the conditions that have in the past led the Interior Department and various State agencies to deal with matters that are properly within the legal competence of the Indian tribes themselves.

Neither the alloting of land in severalty nor the granting of citizenship has destroyed the tribal relationship upon which local autonomy rests. Only through the laws or treaties of the United States, or administrative acts authorized thereunder, can tribal existence be terminated. As was said in the case of *United States* v. *Boylan* (265 Fed.

165) with reference to certain New York Indians over whom State courts had attempted to exercise jurisdiction:

* * * Congress alone has the right to say when the guardianship over the Indians may cease U. S. v. Nice, 241 U. S. 591, 36 Sup. Ct. 696, 60 L. Ed. 1192; Tiger v. Western Inv. Co., 221 U. S. 286, 31 Sup. Ct. 578, 55 L. Ed. 738. Accordingly it has been held that it is for Congress to say when the tribal existence shall be deemed to have terminated, and Congress must so express its intent in relation thereto in clear terms. Until such legislation by Congress, even a grant of citizenship does not terminate the tribal status or relieve the Indian from the guardianship of the government. U. S. v. Nice, 241 U. S. 591, 36 Sup. Ct. 696, 60 L. Ed. 1192. * * * (At p. 171.)

The court concludes:

* * * The right of self-government has never been taken from them. * * *

At all times the rights which belong to self-government have been recognized as vested in these Indians. * * * (At p. 173.)

In the case of *Farrell* v. *United States* (110 Fed. 942), the effect of allotment in severalty and of the grant of citizenship was considered, and the court declared:

* * * The agreement to maintain the agent and the retention and exercise of the power to control the liquor traffic are not inconsistent, as we have seen with the allotment of the lands in severalty or with the grant to the allottees of the immunities and privileges of citizenship. Neither the act of 1887 nor any other act of congress or treaty with these Indians required those who selected allotments and received patents and the privileges and immunities of citizenship to serve their tribal relation, or to surrender any of their rights as members of their tribes, as a condition of the grant, so that after their allotments, as before, their tribal relation continued. And finally the legislative and executive departments of the government to which the subject-matters of the relations of the Indians and their tribes to the United States, and the regulation of the commerce with them, has been specially intrusted, have uniformly held that congress retained, and have constantly exercised, the power to regulate intercourse with these Indians, and to prohibit the traffic in intoxicating liquors with them, since these patents issued, to the same extent as before their lands were allotted in severalty. It is the settled rule of the judicial department of the government, in ascertaining the relations of Indian tribes and their members to the nation, to follow the action of the legislative and executive departments, to which the determination of these questions has been especially intrusted. U. S. v. Holliday, 3 Wall. 407, 419, 18 L. Ed. 182; U. S. v. Earl (C. C.) 17 Fed. 75, 78. (At p. 951.)

And in the case of *United States* v. *Holliday* (3 Wall. 407), the Supreme Court declared:

In reference to all matters of this kind, it is the rule of this court to follow the action of the executive and other political departments of the government, whose more special duty is to determine such affairs. If by them those Indians are recognized as a tribe, this court must do the same. (At. p. 419.)

And see, to the same effect, *The Kansas Indians* (5 Wall. 737, 756); *Yakima Joe* v. *To-is-lap* (191 Fed. 516); *United States* v. *Flournoy Live-Stock, etc. Co.* (71 Fed. 576).

There are, of course, a number of instances in which tribal autonomy has been terminated by act of Congress or by treaty. See, for example, *Wiggan* v. *Conolly* (163 U. S. 56); *United States* v. *Elm* (2 Cin. Law Bull. 307, 25 Fed. Cas. No. 15,048); and *cf.* act of April 26, 1906 (34 Stat. 137). But to accomplish this, the provisions of treaty or statute must be positive and unambiguous. (*Morrow* v. *Blevins*, 23 Tenn. 223; *Jones* v. *Meehan*, 175 U. S. 1.)

Save in such instances, the internal sovereignty of the Indian tribes continues, unimpaired by the changes that have occurred in the manners and customs of Indian life, and, for the future, remains a most powerful vehicle for the movement of the Indian tribes towards a richer social existence.

THE POWER OF AN INDIAN TRIBE TO DEFINE ITS FORM OF GOVERNMENT

Since any group of men, in order to act as a group, must act through forms which give the action the character and authority of group action, an Indian tribe must, if it has any power at all, have the power to prescribe the forms through which its will may be registered. The first element of sovereignty, and the last which may survive successive statutory limitations of Indian tribal power, is the power of the tribe to determine and define its own form of government. Such power includes the right to define the powers and duties of its officials, the manner of their appointment or election, the manner of their removal, the rules they are to observe in their capacity as officials, and the forms and procedures which are to attest the authoritative character of acts done in the name

of the tribe. These are matters which may be determined even in a modern civilized nation by unwritten custom as well as by written law. The controlling character of the Indian tribe's basic forms and procedures has been recognized by State and Federal courts, whether evidenced by written statute or by the testimony of tradition.

Thus, in the case of *Pueblo of Santa Rosa* v. *Fall* (273 U. S. 315) the Supreme Court recognized that by the traditional law of the Pueblo the "Captain" of the Pueblo would have no authority to convey to attorneys the claims of the Pueblo or to authorize suit thereon, and that such acts without the approval of a general council would be null and void.

To the same effect, see 7 Op. Atty. Gen. 142 (1855).

In 5 Op. Atty. Gen. 79 (1849) the opinion is expressed that a release to be executed by the "Creek Indians" would be valid "provided, that the chiefs and headmen executing it are such chiefs and headmen and constitute the whole or a majority of the council of the Creek Nation."

In *Rawlins and Presbey* v. *United States* (23 Ct. Cls. 106) the court finds that a chief's authority to act in the name of the tribe has been established by the tacit assent of the tribe and by their acceptance of the benefits of his acts.

In the case of *Mount Pleasant* v. *Gansworth* (271 N. Y. Supp. 78) it is held that the Tuscarora tribal council has never been endowed with probate jurisdiction, that no other body has been set up by the tribe to exercise probate powers, and hence that State courts may step in to remedy the lack. Whether no not the final conclusion is justified, in the light of such cases as *Patterson* v. *Council of Seneca Nation* (245 N. Y. 443; 157 N. E. 734), the opinion of the court indicates at least that the limitations which a tribe may impose upon the jurisdiction of its own governmental bodies and officers will be respected.

Not only must officers presuming to act in the name of an Indian tribe show that their acts fall within their allotted function and authority, but likewise the procedural formalities which tradition or ordinance require must be followed in executing an act within the acknowledged jurisdiction of the officer or set of officers.

In 19 Op. Atty. Gen. 179 (1888) it is held that a decree of divorce which has not been signed by a judge or clerk of court, as required by the laws of the Choctaw Nation, is invalid.

In re Darch (265 N. Y. Supp. 86) involves action of a special tribal council meeting to which only a few of the members of the council were invited. The action was declared invalid on the ground that the council's rules of procedure required due notice of a special meeting to be given to all the members of the council. Based on an analogy taken from corporation law, the rule was laid down that violation of this requirement rendered acts of the council invalid.

In 25 Op. Atty. Gen. 308 (1904) it appeared that certain sums were to be paid to attorneys "only after the tribal authorities, thereunto duly and specifically authorized by the tribe, shall have signed a writing * * *." By resolution of the tribe the business committee had been authorized to sign the writing in question. The signatures of the business committee, in the opinion of the Attorney General, met the statutory requirement:

> The proceedings of the council were regular, and the motions were carried by a sufficient number of voters, though less than a majority of those present. See *State* v. *Vanodel* (131 Ind. 388); *Attorney General* v. *Shepard* (62 N. H. 383); and *Mount* v. *Parker* (32 N. J. Law, 341).

The doctrine of *de facto* officers has been applied to an Indian tribe, in accordance with the rule applied to other governmental agencies, so as to safeguard from collateral attack acts and documents signed by officers acting under color of authority, though subject, in proper proceedings, to removal from office. See *Nofire* v. *United States* (164 U. S. 657); *Seneca Nation* v. *John* (16 N. Y. Supp. 40).

Based upon the analogy of the constitutional law of the United States, the doctrine has been applied to Indian statutes and constitutional provisions that statutes deemed by the courts to be violative of constitutional limitations are to be regarded as void. See *Whitmire, Trustee,* v. *Cherokee Nation* (30 Ct. Cls. 138); *Delaware Indians* v. *Cherokee Nation* (38 Ct. Cls. 234); 19 Op. Atty. Gen. 229 (1889).

Statutes of Congress have recognized that the authority of an Indian tribe is customarily wielded by chiefs and headmen.[1]

Other congressional legislation has specifically recognized the propriety of paying salaries to tribal officers out of tribal funds.[2]

THE POWER OF AN INDIAN TRIBE TO DETERMINE ITS MEMBERSHIP

The courts have consistently recognized that in the absence of express legislation by Congress to the contrary, an Indian tribe has complete authority to determine all questions of its own membership.[3] It may thus by usage or written law determine under what conditions persons of mixed blood shall be considered members of the tribe. It may provide for special formalities of recognition, and it may adopt such rules as seem suitable to it, to regulate the abandonment of membership, the adoption of non-Indians or Indians of other tribes, and the types of membership or citizenship which it may choose to recognize. The completeness of this power receives statutory recognition in U. S. Code, Title 25, Sec. 184, which provides that the children of a white man and an Indian woman by blood shall be considered members of the tribe if, and only if, "said Indian woman was * * * recognized by the tribe." [4] The power of the Indian tribes in this field is limited only by the various statutes of Congress defining the membership of certain tribes for purposes of allotment or for other purposes, and by the statutory authority given to the Secretary of the Interior to promulgate a final tribal roll for the purpose of dividing and distributing tribal funds.[5]

The power of an Indian tribe to determine questions of its own membership arises necessarily from the character of an Indian tribe as a distinct political entity. In the case of *Patterson* v. *Council Of Seneca Nation* (245 N. Y. 433; 157 N. E. 734), the Court of Appeals of New York reviewed the many decisions of that court and of the Superme Court of the United States recognizing the Indian tribe as a "distinct political society, separated from others, capable of managing its own affairs and governing itself" (per Marshall, C. J., in *Cherokee Nation* v. *Georgia*, 5 Pet. 1), and, in reaching the conclusion that mandamus would not lie to compel the plaintiff's enrollment by the defendant council, declared:

> Unless these expressions, as well as similar expressions many times used by many courts in various jurisdictions, are mere words of flattery designed to soothe Indian sensibilities, unless the last vestige of separate national life has been withdrawn from the Indian tribes by encroaching state legislation, then, surely, it must follow that the Seneca Nation of Indians has retained for itself that prerequisite to their self-preservation and integrity as a nation, the right to determine by whom its membership shall be constituted.
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> * * * * * * *
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> It must be the law, therefore, that, unless the Seneca Nation of Indians and the state of New York enjoy a relation inter se peculiar to themselves, the right to enrollment of the petitioner, with its attending property rights, depends upon the laws and usages of the Seneca Nation and is to be determined by that Nation for itself, without interference or dictation from the Supreme Court of the state.

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[1] U. S. Code, Title 25, Sec. 130:
"*Withholding of moneys or goods on account of intoxicating liquors.* No annuities, or moneys, or goods, shall be paid or distributed to Indians * * * until the chiefs and headmen of the tribe shall have pledged themselves to use all their influence and to make all proper exertions to prevent the introduction and sale of such liquor in their country."
U. S. Code, Title 25, Sec. 132:
"*Mode of distribution of goods.* Whenever goods and merchandise are delivered to the chiefs of a tribe, for the tribe, such goods and merchandise shall be turned over by the agent or superintendent of such tribe to the chiefs in bulk, and in the original package as nearly as practicable, and in the presence of the headmen of the tribe, if practicable, to be distributed to the tribe by the chiefs in such manner as the chiefs may deem best, in the presence of the agent or superintendent. (R. S. Sec. 2090)"

[2] U. S. Code, Title 25, Sec. 162, after providing generally for the segregation, deposit and investment of tribal funds, contains the following qualification:
"*And provided further*, That any part of tribal funds required for support of schools or pay of tribal officers shall be excepted from segregation or deposit as herein authorized and the same shall be expended for the purposes aforesaid."

[3] It must be noted that property rights attached to membership are largely in the control of the Secretary of the Interior rather than the tribe itself. See heading, infra, "Tribal Powers Over Property."

[4] "*Rights of children born of marriages between white men and Indian women.* All children born of a marriage solemnized prior to June 7, 1897, between a white man and an Indian woman by blood and not by adoption, where said Indian woman was on that date, or was at the time of her death, recognized by the tribe, shall have the same rights and privileges to the property of the tribe to which the mother belongs, or belonged at the time of her death, by blood, as any other member of the tribe, and no prior Act of Congress shall be construed as to debar such child of such right. (June 7, 1897, c. 3, sec. 1, 30 Stat. 90.)"

[5] U. S. Code, Title 25, Sec. 163:
"*Roll of membership of Indian tribes.* The Secretary of the Interior is authorized, wherever in his discretion such action would be for the best interest of the Indians, to cause a final roll to be made of the membership of any Indian tribe; such rolls shall contain the ages and quantum of Indian blood, and when approved by the said Secretary are declared to constitute the legal membership of the respective tribes for the purpose of segregating the tribal funds as provided in the preceding section, and shall be conclusive both as to ages and quantum of Indian blood: *Provided*, That the foregoing shall not apply to the Five Civilized Tribes or to the Osage Tribe of Indians, or to the Chippewa Indians of Minnesota, or the Menominee Indians of Wisconsin. (June 30, 1919, c. 4, sec. 1, 41 Stat. 9.)"

After examining the constitutional position of the Seneca Nation and finding that tribal autonomy has not been impaired by any legislation of the state, the court concludes:

> The conclusion is inescapable that the Seneca Tribe remains a separate nation; that its powers of self-government are retained with the sanction of the state; that the ancient customs and usages of the nation except in a few particulars, remain, unabolished, the law of the Indian land; that in its capacity of a sovereign nation the Seneca Nation is not subservient to the orders and directions of the courts of New York state; that, above all, the Seneca Nation retains for itself the power of determining who are Senecas, and in that respect is above interference and dictation.

In the case of *Waldron* v. *United States* (143 Fed. 413), it appeared that a woman of five-sixteenths Sioux Indian blood on her mother's side, her father being a white man, had been refused recognition as an Indian by the Interior Department although, by tribal custom, since the woman's mother had been recognized as an Indian, the woman herself was so recognized. The court held that the decision of the Interior Department was contrary to law, declaring:

> In this proceeding the court has been informed as to the usages and customs of the different tribes of the Sioux Nation, and has found as a fact that the common law does not obtain among said tribes, as to determining the race to which the children of a white man, married to an Indian woman, belong; but that, according to the usages and customs of said tribes, the children of a white man married to an Indian woman take the race or nationality of the mother.

The same view is maintained in 19 Op. Atty. Gen. 115 (1888), in which it is said:

> It was the Indians, and not the United States, that were interested in the distribution of what was periodically coming to them from the United States. It was proper then that they should determine for themselves, and finally, who were entitled to membership in the confederated tribe and to participate in the emoluments belonging to that relation.
>
> The certificate of the chiefs and councillors referred to is possibly as high a grade of evidence as can be procured of the fact of the determination by the chiefs of the right of membership under the treaty of February 23, 1867, and seems to be such as is warranted by the usage and custom of the Government in its general dealings with these people and other similar tribes. (At page 116.)

See to the same effect:

In re William Banks (26 L. D. 71);
Black Tomahawk v. *Waldron* (19 L. D. 311);
20 Op. Atty. Gen. 711 (1894);
Western Cherokee Indians v. *United States*, (27 Ct. Cls. 1, 54);
United States v. *Heyfron* (two cases) (138 Fed. 964, 968).

In the Cherokee Intermarriage Cases (203 U. S. 76), the Supreme Court of the United States considered the claims of certain white men, married to Cherokee Indians, to participate in the common property of the Cherokee Nation. After carefully examining the constitutional articles and the statutes of the Cherokee Nation, the court reached the conclusion that the claims in question were invalid, since, although the claimants had been recognized as citizens for certain purposes, the Cherokee Nation had complete authority to qualify the rights of citizenship which is offered to its "naturalized" citizens, and had, in the exercise of this authority, provided for the revocation or qualification of citizenship rights so as to defeat the claims of the plaintiffs. The Supreme Court declared (per Fuller, C. J.):

> The distinction between different classes of citizens was recognized by the Cherokees in the differences in their intermarriage law, as applicable to the whites and to the Indians of other tribes; by the provision in the intermarriage law that a white man intermarried with an Indian by blood acquires certain rights as a citizen, but no provision that if he marries a Cherokee citizen not of Indian blood he shall be regarded as a citizen at all; and by the provision that if, once having married an Indian by blood, he marries the second time a citizen not by blood, he loses all of his rights as a citizen. And the same distinction between citizens as such and citizens with property rights has also been recognized by Congress in enactments relating to other Indians than the Five Civilized Tribes. Act August 9, 1888, 25 Stat. 392, c. 818; act May 2, 1890, 26 Stat. 96, c. 182; act June 7, 1897, 30 Stat. 90 c. 3. (At page 88.)
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> * * * The laws and usages of the Cherokees, their earliest history, the fundamental principles, of their national policy, their constitution and statutes, all show that citizenship rested on blood or marriage; that the man who would assert citizenship must establish marriage; that when marriage ceased (with a special reservation in favor of widows or widowers) citizenship ceased; that when an intermarried white married a person having no rights of Cherokee citizenship by blood it was conclusive evidence that the tie which bound him to the Cherokee people was severed and the very basis of his citizenship obliterated. (At page 95.)

See, to the same effect, 19 Op. Atty. Gen. 109 (1888).

An Indian tribe may classify various types of membership and qualify not only the property rights, but the voting rights of certain members. Thus in 19 Op. Atty. Gen. 389 (1888) the view is expressed that a tribe may by law restrict the rights of tribal suffrage, excluding white citizens from voting, although by treaty they are guaranteed rights of "membership".

Similarly, an Indian tribe may revoke rights of membership which it has granted. In *Roff* v. *Burney* (168 U. S. 218), the Supreme Court upheld the validity of an act of the Chickasaw legislature depriving a Chickasaw citizen of his citizenship, declaring:

> The citizenship which the Chickasaw legislature could confer it could withdraw. The only restriction on the power of the Chickasaw Nation to legislate in respect to its internal affair is that such legislation shall not conflict with the Constitution or laws of the United States, and we know of no provision of such Constitution or laws which would be set at naught by the action of a political community like this in withdrawing privileges of membership in the community once conferred. (At page 222.)

The right of an Indian tribe to make express rules governing the recognition of members, the adoption of new members, the procedure for abandonment of membership, and the procedure for readoption, is recognized in *Smith* v. *Bonifer* (154 Fed. 883, aff'd. 166 Fed. 846). In that case the plaintiffs' right to allotments depended upon their membership in a particular tribe. The court held that such membership was demonstrated by the fact of tribal recognition, declaring:

> Indian members of one tribe can sever their relations as such, and may form affiliations with another or other tribes. And so they may, after their relations with a tribe has been severed, rejoin the tribe and be again recognized and treated as members thereof, and tribal rights and privileges attach according to the habits and customs of the tribe with which affiliation is presently cast. As to the manner of breaking off and recasting tribal affiliations we are meagerly informed. It was and is a thing, of course, dependent upon the peculiar usages and customs of each particular tribe, and therefore we may assume that no general rule obtains for its regulation.
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> Now, the first condition presented is that the mother of Philomme was a full-blood Walla Walla Indian. She was consequently a member of the tribe of that name. Was her status changed by marriage to Tawakown, an Iroquois Indian? This must depend upon the tribal usage and customs of the Walla Wallas and the Iroquois. It is said by Hon. William A. Little, Assistant Attorney General, in an opinion rendered the Department of the Interior in a matter involving this very controversy:
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> > "That inheritance among these Indians is through the mother and not through the father, and that the true test in these cases is to ascertain whether parties claiming to be Indians and entitled to allotments have by their conduct expatriated themselves or changed their citizenship."
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> But we are told that:
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> > "Among the Iroquoian tribes kinship is traced through the blood of the woman only. Kinship means membership in a family; and this in turn constitutes citizenship in the tribe, conferring certain social, political, and religious privileges, duties, and rights, which are denied to persons of alien blood." Handbook of American Indians, edited by Frederick Webb Hodge, Smithsonian Institute, Government Printing Office, 1907.
>
> Marriage, therefore, with Tawakown would not of itself constitute an affiliation on the part of his wife with the Iroquois tribe, of which he was a member, and a renunciation of membership with her own tribe. (At page 886.)

Considering a second marriage of the plaintiff to a white person, the court went on to declare:

> But notwithstanding the marriage of Philomme to Smity, and her long residence outside of the limits of the reservation, she was acknowledged by the chiefs of the confederated tribes to be a member of the Walla Walla tribe. From the testimony adduced herein, read in connection with that taken in the case of *Hy-yu-tse-mil-kin* v. *Smith, supra*, it appears that Mrs. Smith was advised by Homily and Show-a-way, chiefs, respectively, of the Walla Walla and Cayuse tribes, to come upon the reservation and make selections for allotments to herself and children, and that thereafter she was recognized by both these chiefs, and by Peo, the chief of the Umatillas, as being a member of the Walla Walla tribe. It is true that she was not so recognized at first, but she was finally, and by a general council of the Indians held for the especial purpose of determining the matter. (At page 888.)

Where tribal laws have not expressly provided for some certificate of membership (see 19 Op. Atty. Gen. 115 (1888)), the courts, in cases not clearly controlled by recognized tribal custom, have looked to recognition by the tribal chiefs as a test of tribal membership. *Hy-yu-tse-mil-kin* v. *Smith* (194 U. S. 401, 411).

The weight given to tribal action in relation to tribal membership is shown by the case of *Nofire* v. *United States* (164 U. S. 657). In that case the jurisdiction of the Cherokee courts in a murder case, the defendants being Cherokee Indians, depended

upon whether the deceased, a white man, had been duly adopted by the Cherokee Tribe. Finding evidence of such adoption in the official records of the tribe, the Supreme Court held that such adoption deprived the State court of jurisdiction over the murder and vested such jurisdiction in the tribal courts.

A similar decision was reached in the case of *Raymond* v. *Raymond* (83 Fed. 721), in which the jurisdiction of a tribal court over an adopted Cherokee was challenged. The court declared (per Sanborn, J.):

> It is conceded that under the laws of that nation the appellee became a member of that tribe, by adoption, through her intermarriage with the appellant. It is settled by the decisions of the supreme court that her adoption into that nation ousted the federal court of jurisdiction over any suit between her and any member of that tribe, and vested the tribal courts with exclusive jurisdiction over every such action. *Alberty* v. *U. S.*, 162 U. S. 499, 16 Sup. Ct. 864; *Nofire* v. *U. S.*, 164 U. S. 657, 658, 17 Sup. Ct. 212.

It is of course recognized throughout the cases, that tribal membership is a bilateral relation, depending for its existence not only upon the action of the tribe but also upon the action of the individual concerned. Any member of any Indian tribe is at full liberty to terminate his tribal relationship whenever he so chooses. In the famous case of *United States ex rel. Standing Bear* v. *Crook* (5 Dill. 453, 25 Fed. Cases No. 14891), in which an Indian secured a writ of habeas corpus directed against a general of the United States Army, to prevent his removal to Indian territory, the court found that the petitioner, Standing Bear, had severed his relationship with his tribe and was, therefore, not subject to the provisions of any treaties or legislation concerned with the removal of the tribe to Indian Territory. The court declared (per Dundy, J.):

> Standing Bear, the principal witness, states that out of five hundred and eighty-one Indians who went from the reservation in Dakota to the Indian Territory, one hundred and fifty-eight died within a year or so, and a great proportion of the others were sick and disabled, caused, in a great measure, no doubt, from change of climate; and to save himself and the survivors of his wasted family, and the feeble remnant of his little band of followers, he determined to leave the Indian Territory and return to his old home, where, to use his own language, "he might live and die in peace, and be buried with his fathers." He also states that he informed the agent of their final purpose to leave, never to return, and that he and his followers had finally, fully, and forever severed his and their connection with the Ponca Tribe of Indians, and had resolved to disband as a tribe, or band, of Indians, and to cut loose from the government, go to work, become self-sustaining, and adopt the habits and customs of a higher civilization. To accomplish what would seem to be a desirable and laudable purpose, all who were able so to do went to work to earn a living. The Omaha Indians, who speak the same language, and with whom many of the Poncas have long continued to intermarry, gave them employment and ground to cultivate, so as to make them self-sustaining. And it was when at the Omaha reservation, and when thus employed, that they were arrested by order of the government, for the purpose of being taken back to the Indian Territory. They claim to be unable to see the justice, or reason, or wisdom, or necessity, of removing them by force from their own native plains and blood relations to a far-off country, in which they can see little but new-made graves opening for their reception. The land from which they fled in fear has no attractions for them. The love of home and native land was strong enough in the minds of these people to induce them to brave every peril to return and live and die where they had been reared. The bones of the dead son of Standing Bear were not to repose in the land they hoped to be leaving forever, but were carefully preserved and protected, and formed a part of what was to them a melancholy procession homeward.
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> * * * What is here stated in this connection is mainly for the purpose of showing that the relators did all they could to separate themselves from their tribe and to sever their tribal relations, for the purpose of becoming self-sustaining and living without support from the government. This being so, it presents the question as to whether or not an Indian can withdraw from his tribe, sever his tribal relation therewith, and terminate his allegiance thereto, for the purpose of making an independent living and adopting our own civilization.
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> If Indian tribes are to be regarded and treated as separate but dependent nations, there can be no serious difficulty about the question. If they are not to be regarded and treated as separate, dependent nations, then no allegiance is owing from an individual Indian to his tribe, and he could, therefore, withdraw therefrom at any time. The question of expatriation has engaged the attention of our government from the time of its very foundation. Many heated discussions have been carried on between our own and foreign governments on this great question, until diplomacy has triumphantly secured the right to every person found within our jurisdiction. This right has always been claimed and admitted by our government, and it is now no longer an open question. It can make but little difference, then, whether we accord to the Indian tribes a national character or not, as in either case I think the individual Indian possesses the clear and God given right to withdraw from his tribe and forever live away from it, as though it had no further existence. If the right of expatriation was open to doubt in this country down to the year 1868, certainly since that time no sort of question as to the right can now exist. On the 27th of July of that year Congress passed an act, now appearing as section 1999 of the Revised Statutes, which declares that: "Whereas, the right of expatriation is a natural and inherent right of all people, indispensable to the enjoyment of the rights of life, liberty, and the pursuit of happiness; and, whereas, in the recognition of this

principle the government has freely received emigrants from all nations, and invested them with the rights of citizenship. * * * Therefore, any declaration, instruction, opinion, order, or decision of any officer of the United States which denies, restricts, impairs, or questions the right of expatriation, is declared inconsistent with the fundamental principles of the republic."

The tribal power recognized in all the foregoing cases is not overthrown by anything said in the case of *United States ex rel. West* v. *Hitchcock* (205 U. S. 80). In that case, an adopted member of the Wichita tribe was refused an allotment by the Secretary of the Interior because the Department had never approved his adoption. Since the Secretary, according to the Supreme Court, had unreviewable discretionary authority to grant or deny an allotment even to a member of the tribe by blood, it was unnecessary for the Supreme Court to decide whether refusal of the Interior Department to approve the relator's adoption was within the authority of the Department. The court, however, intimated that the general authority of the Interior Department under Rev. Stat. 463 (U. S. Code, Title 25, Sec. 2),[1] was broad enough to justify a regulation requiring Department approval of adoptions, but hastened to add that since the relator would have no legal right of appeal even if his adoption without Department approval were valid, "it hardly is necessary to pass upon that point."

The power of an Indian tribe to determine its membership is subject to the qualification, however, that in the distribution of tribal funds and other property under the supervision and control of the Federal Government, the action of the tribe is subject to the supervisory authority of the Secretary of the Interior. See *United States ex rel. West* v. *Hitchcock*, 205 U. S. 80; *Mitchell* v. *United States*, 22 Fed. (2d) 771; *United States* v. *Provoe*, 38 Fed. (2d) 799, reversed on other grounds, 283 U. S. 753. See also *Wilbur* v. *United States*, 281 U. S. 206. The original power to determine membership, including the regulation of membership by adoption, nevertheless remains with the tribe, and in view of the broad provisions of the Wheeler-Howard Act, it is my opinion that the Secretary of the Interior may in the future define and confine his power of supervision in accordance with the terms of the constitution adopted by the tribe itself and approved by him.

THE POWER OF AN INDIAN TRIBE TO REGULATE DOMESTIC RELATIONS

The Indian tribes have been accorded the widest possible latitude in regulating the domestic relations of their members. Indian custom marriage has been specifically recognized by Federal statute, so far as such recognition is necessary for purposes of inheritance.[2] Indian custom marriage and divorce has been generally recognized by State and Federal courts for all other purposes. Where Federal law or written laws of the tribe do not cover the subject, the customs and traditions of the tribe are accorded the force of law, but these customs and traditions may be changed by the statutes of the Indian tribes. In defining and punishing offenses against the marriage relationship, the Indian tribe has complete and exclusive authority in the absence of legislation by Congress upon the subject. No law of the State controls the domestic relations of Indians living in tribal relationship. The authority of an Indian tribal council to appoint guardians for incompetents and minors is specifically recognized by statute,[3] although this statute at the same time deprives such guardians of the power to administer Federal trust funds.

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[1] "*Duties of Commissioner.* The Commissioner of Indian Affairs shall, under the direction of the Secretary of the Interior, and agreeably to such regulations as the President may prescribe, have the management of all Indian affairs and of all matters arising out of Indian relations. (R. S. Sec. 463.)"

[2] U. S. C., Title 25, sec. 371, which provides:

"*Descent of land.* For the purpose of determining the descent of land to the heirs of any deceased Indian under the provisions of section 348, whenever any male and female Indian shall have cohabited together as husband and wife according to the custom and manner of Indian life the issue of such cohabitation shall be, for the purpose aforesaid, taken and deemed to be the legitimate issue of the Indians so living together * * *"

[3] U. S. C., Title 25, sec. 159, which provides:

"*Moneys due incompetents or orphans.* The Secretary of the Interior is directed to cause settlements to be made with all persons appointed by the Indian councils to receive moneys due to incompetent or orphan Indians, and to require all moneys found due to such incompetent or orphan Indians to be returned to the Treasury; and all moneys so returned shall bear interest at the rate of 6 per centum per annum, until paid by order of the Secretary of the Interior to those entitled to the same. No money shall be paid to any person appointed by any Indian council to receive moneys due to incompetent or orphan Indians, but the same shall remain in the Treasury of the United States until ordered to be paid by the Secretary to those entitled to receive the same, and shall bear 6 per centum interest until so paid." (R. S. sec. 2108.)

The completeness and exclusiveness of tribal authority over matters of domestic relationship is clearly set forth by Mr. Justice VanDevanter in the opinion of the Supreme Court in *United States* v. *Quiver* (241 U. S. 602, at 603–605):

> At an early period it became the settled policy of Congress to permit the personal and domestic relations of the Indians with each other to be regulated, and offenses by one Indian against the person or property of another Indian to be dealt with, according to their tribal customs and laws. Thus the Indian Intercourse Acts of May 19, 1796, c. 30, 1 Stat. 469, and of March, 1802, c. 13, 2 Stat. 139, provided for the punishment of various offenses by white persons against Indians and by Indians against white persons, but left untouched those by Indians against each other; and the act of June 30, 1834, c. 161, Sec. 25, 4 Stat. 729, 733, while providing that "so much of the laws of the United States as provides for the punishment of crimes committed within any place within the sole and exclusive jurisdiction of the United States shall be in force in the Indian country," qualified its action by saying, "the same shall not extend to crimes committed by one Indian against the person or property of another Indian." That provision with its qualification was later carried into the Revised Statutes as Secs. 2145 and 2146. This was the situation when this court, in *Ex parte Crow Dog*, 109 U. S. 556, held that the murder of an Indian by another Indian on an Indian reservation was not punishable under the laws of the United States and could be dealt with only according to the laws of the tribe. The first change came when, by the act of March 3, 1885, c. 341, Sec. 9, 23 Stat. 362, 385, now Sec. 328 of the Penal Code, Congress provided for the punishment of murder, manslaughter, rape, assault with intent to kill, assault with a dangerous weapon, arson, burglary and larceny when committed by one Indian against the person or property of another Indian. In other respects the policy remained as before. After South Dakota became a State, Congress, acting upon a partial cession of jurisdiction by that State, c. 106, Laws 1901, provided by the act of February 2, 1903, c. 351, 32 Stat. 793, now Sec. 329 of the Penal Code, for the punishment of the particular offenses named in the act of 1885 when committed on the Indian reservations in that State, even though committed by others than Indians, but this is without bearing here, for it left the situation in respect of offenses by one Indian against the person or property of another Indian as it was after the act of 1885.
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> We have now referred to all the statutes. There is none dealing with bigamy, polygamy, incest, adultery or fornication, which in terms refers to Indians, these matters always having been left to the tribal customs and laws and to such preventive and corrective measures as reasonably could be taken by the administrative officers.

Recognition of the validity of marriages and divorces consummated in accordance with tribal law or custom is found in the following cases:

Carney v. *Chapman*, 247 U. S. 102;
Boyer v. *Dively*, 58 Mo. 510;
Johnson v. *Dunlap*, 68 Okla. 216, 173 Pac. 359;
Cyr v. *Walker*, 29 Okla. 281, 116 Pac. 931;
Hallowell v. *Commons*, 210 Fed. 793;
Earl v. *Godley*, 42 Minn. 361;
Ortley v. *Ross*, 78 Neb. 339;
People ex rel. La Forte v. *Rubin*, 98 N. Y. Supp. 787;
Butler v. *Wilson*, 54 Okla. 229, 153 Pac. 823;
Proctor v. *Foster*, 107 Okla. 95, 230 Pac. 753;
Davis v. *Reeder*, 102 Okla. 106, 226 Pac. 880;
Pompey v. *King*, 101 Okla. 253, 225 Pac. 175;
Buck v. *Branson*, 34 Okla. 807, 127 Pac. 436;
Johnson v. *Johnson*, 30 Mo. 72;
Unussee v. *McKinney*, 270 Pac. 1096 (Okla.);
and *cf. Connolly* v. *Woolrich* (1867), 11 Lower Can. Jur. 197.

Legal recognition has not been withheld from marriages by Indian custom, even in those cases where Indian custom sanctioned polygamy. As was said in *Kobogum* v. *Jackson Iron Co.* (76 Mich. 498, 43 N. W. 602):

> * * * The testimony now in this case shows what, as matter of history, we are probably bound to know judicially, that among these Indians polygamous marriages have always been recognized as valid, and have never been confounded with such promiscuous or informal temporary intercourse as is not reckoned as marriage. While most civilized nations in our day very wisely discard polygamy, and it is not probably lawful anywhere among English-speaking nations, yet it is a recognized and valid institution among many nations, and in no way universally unlawful. We must either hold that there can be no valid Indian marriage, or we must hold that all marriages are valid which by Indian usage are so regarded. There is no middle ground which can be taken, so long as our own laws are not binding on the tribes. They did not occupy their territory by our grace and permission, but by a right beyond our control. They were placed by the Constitution of the United States beyond our jurisdiction, and we have no more right to control their domestic usages than those of Turkey or India. * * * We have here marriages had between members of an Indian tribe in tribal relations, and unquestionably good by the Indian rules. The parties were not subject in those

relations to the laws of Michigan, and there was no other law interfering with the full jurisdiction of the tribe over personal relations. We cannot interfere with the validity of such marriages without subjecting them to rules of law which never bound them.

See, to the same effect, *State* v. *McKenney* (18 Nev. 182, 200).

The jurisdiction of a tribal court over divorce actions is recognized in *Raymond* v. *Raymond* (83 Fed. 721); 19 Ops. Atty. Gen. 109 (1888).

THE POWER OF AN INDIAN TRIBE TO GOVERN THE DESCENT AND DISTRIBUTION OF PROPERTY

It is well settled that an Indian tribe has the power to prescribe the manner of descent and distribution of the property of its members, in the absence of contrary legislation by Congress. Such power may be exercised through unwritten customs and usages, or through written laws of the tribe. This power extends to personal property as well as to real property By virtue of this authority an Indian tribe may restrict the descent of property on the basis of Indian blood or tribal membership, and may provide for the escheat of property to the tribe where there are no recognized heirs. An Indian tribe may, if it so chooses, adopt as its own the laws of the State in which it is situated and may make such modifications in these laws as it deems suitable to its pecular conditions.

The only general statutes of Congress which restrict the power of an Indian tribe to govern the descent and distribution of property of its members are section 5 of the General Allotment Act (U. S. Code, Title 25, Sec. 348) [1], which provides that allotments of land shall descend "according to the laws of the State or Territory where such land is located", the act of June 25, 1910, c. 431, Sec. 1, 36 Stat. 855 (U. S. Code, Title 25, Sec. 372),[2] which provides that the Secretary of the Interior shall have unreviewable discretion to determine the heirs of an Indian in ruling upon the inheritance of individual allotments issued under the authority of the General Allotment Law, and section 2 of the same act (U. S. Code, Title 25, Sec. 373),[3] which gives the Secretary of the Interior final power to approve and disapprove Indian wills devising restricted property.

These statutes abolished the former tribal power over the descent and distribution of property, with respect to allotments of land made under the General Allotment Act, and rendered tribal rules of testamentary disposition subject to the authority of the Secretary of the Interior. They do not, however, affect interstate succession to personal property or interests in land other than allotments (e. g., possessory interests in land to which title is retained by the tribe). With respect to all property other than allotments of land made under the General Allotment Act, the inheritance laws and customs of the Indian tribe are still of supreme authority.[4]

The authority of an Indian tribe in the matter of inheritance is clearly recognized by the United States Supreme Court in the case of *Jones* v. *Meehan* (175 U. S. 1), in which it was held that the eldest male child of a Chippewa Indian succeeded to his statutory allotment in accordance with tribal law. The court declared:

> The Department of the Interior appears to have assumed that, upon the death of Moose Dung the elder, in 1872, the title in his land descended by law to his heirs general, and not to his eldest son only.
>
> But the elder Chief Moose Dung being a member of an Indian tribe, whose tribal organization was still recognized by the Government of the United States, the right of inheritance in his land, at

[1] "*Patents to be held in trust; descent and partition.* Upon the approval of the allotments provided for in sections 331 to 334, inclusive and 336 by the Secretary of the Interior, he shall cause patents to issue therefor in the name of the allottees, which patents shall be of the legal effect, and declare that the United States does and will hold the land thus allotted, for the period of twenty-five years, in trust for the sole use and benefit of the Indian to whom such allotment shall have been made, or, in case of his decease, of his heirs according to the laws of the State or Territory where such land is located, and that at the expiration of said period the United States will convey the same by patent to said Indian, or his heirs as aforesaid, in fee, discharged of said trust and free of all charge or incumbrance whatsoever: * * *"

[2] "*Ascertainment of heirs of deceased allottees.*—When any Indian to whom an allotment of land has been made, dies before the expiration of the trust period and before the issuance of a fee simple patent, without having made a will disposing of said allotment as hereinafter provided, the Secretary of the Interior, upon notice and hearing, under such rules as he may prescribe, shall ascertain the legal heirs of such decedent, and his decision thereon shall be final and conclusive. * * *"

[3] "*Disposal by will of allotments held under trust.*—Any persons of the age of twenty-one years having any right, title, or interest in any allotment held under trust or other patent, containing restrictions on alienation or individual Indian moneys or other property held in trust by the United States shall have the right prior to the expiration of the trust or restrictive period, and before the issuance of a fee simple patent or the removal of restrictions, to dispose of such property by will, in accordance with regulation is to be prescribed by the Secretary of the Interior: *Provided, however,* That no will so executed shall be valid or have any force or effect unless and until it shall have been approved by the Secretary of the Interior: * * *"

[4] The foregoing general analysis is inapplicable to the Five Civilized Tribes, Congress having expressly provided that State probate courts shall have jurisdiction over the estates of allotted Indians of the Five Civilized Tribes leaving restricted heirs. (Act of June 14, 1918, c. 101, sec. 1; 40 Stat. L. 606; U. S. Code, Title 25, sec. 375.)

the time of his death, was controlled by the laws, usages and customs of the tribe, and not by the law of the State of Minnesota, nor by any action of the Secretary of the Interior. (At page 29.)

In reaching this conclusion the Supreme Court relied upon the following cases:

United States v. *Shanks* (15 Minn. 369);
Dole v. *Irish* (2 Barb. [N. Y.] 639);
Hastings v. *Farmer* (4 N. Y. 293, 294);
The Kansas Indians (5 Wall. 737);
Waupemanqua v. *Aldrich* (28 Fed. 489);
Brown v. *Steele* (23 Kansas 672);
Richardville v. *Thorp* (28 Fed. 52).

In the case of *Jones* v. *Meehan, supra,* the tribal authority was exercised through immemorial usage. Other tribes, however, have exercised a similar authority through written laws.

In the case of *Gray* v. *Coffman* (3 Dill. 393, 10 Fed. Cases No. 5714), the court held that the validity of the will of a member of the Wyandot tribe depended upon its conformity with the written laws of the tribe. The court declared:

The Wyandot Indians, before their removal from Ohio had adopted a written constitution and laws, and among others, laws relating to descent and wills. These are in the record, and are shown to have been copied from the laws of Ohio, and adopted by the Wyandot tribe, with certain modifications, to adapt them to their customs and usages. One of these modifications was that only living children should inherit, excluding the children of deceased children, or grandchildren. The Wyandot council, which is several times referred to in the treaty of 1855, was an executive and judicial body, and had power, under the laws and usages of the nation, to receive proof of wills, etc.; and this body continued to act, at least to some extent, after the treaty of 1855.

* * * under the circumstances, the court must give effect to the well established laws, customs, and usages of the Wyandot tribe of Indians in respect to the disposition of property by descent and will.

In the case of *O'Brien* v. *Bugbee* (46 Kan. 1, 26 Pac. 428), it was held that a plaintiff in ejectment could not recover without positive proof that under tribal custom he was lawful heir to the property in question. In the absence of such proof, it was held that title to the land escheated to the tribe, and that the tribe might dispose of the land as it saw fit.

Tribal autonomy in the regulation of descent and distribution is recognized in the case of *Woodin* v. *Seeley* (141 Misc. 207; 252 N. Y. Supp. 818). In this case, and in the case of *Patterson* v. *Council of Seneca Nation* (245 N. Y. 433; 157 N. E. 734), the supremacy of tribal law in matters of inheritance and membership rights is defended on the ground:

that when Congress does not act no law runs on an Indian reservation save the Indian tribal law and custom.

In the case of *Y-Ta-Tah-Wah* v. *Rebock* (105 Fed. 257), the plaintiff, a medicine-man imprisoned by the federal Indian agent and county sheriff for practicing medicine without a license, brought an action of false imprisonment against these officials, and died during the course of the proceedings. The court held that the action might be continued, not by an administrator of the decedent's estate appointed in accordance with state law, but by the heirs of the decedent by Indian custom. The court declared, per Shiras, J.:

If it were true that, upon the death of a tribal Indian, his property, real and personal, became subject to the laws of the state directing the mode of distribution of estates of decedents, it is apparent that irremediable confusion would be caused thereby in the affairs of the Indians * * * (At page 262.)

In a case involving the right of an illegitimate child to inherit property, the authority of the tribe to pass upon the status of illegitimates was recognized in the following terms:

The Creek Council, in the exercise of its lawful function of local self-government, saw fit to limit the legal rights of an illegitimate child to that of sharing in the estate of his putative father, and not to confer upon such child generally the status of a child born in lawful wedlock. (*Oklahoma Land Company* v. *Thomas*, 34 Okla. 681, 127 Pac. 8).

See, to the same effect, *Butler* v. *Wilson* (54 Okla. 229, 153 Pac. 823).

In the case of *Dole* v. *Irish* (2 Barb. 639) it was held that a surrogate of the State of New York has no power to grant letters of administration to control the disposition

of personal property belonging to a deceased member of the Seneca tribe. The court declared:

> I am of the opinion that the private property of the Seneca Indians is not within the jurisdiction of our laws respecting administration; and that the letters of administration granted by the surrogate to the plaintiff are void. I am also of the opinion that the distribution of Indian property according to their customs passes a good title, which our courts will not disturb; and therefore that the defendant has a good title to the horse in question, and must have judgment on the special verdict. (At pages 642–643.)

In *George* v. *Pierce* (148 N. Y. Supp. 230), the distribution of real and personal property of the decedent through the Onondaga custom of the "dead feast" is recognized as controlling all rights of inheritance.

In the case of *Mackey* v. *Coxe* (18 How. 100), the Supreme Court held that letters of administration issued by a Cherokee court were entitled to recognition in another jurisdiction, on the ground that the status of an Indian tribe was in fact similar to that of a Federal territory.

In the case of *Meeker* v. *Kaelin* (173 Fed. 216), the court recognized the validity of tribal custom in determining the descent of real and personal property and indicated that the tribal custom of the Puyallup band prescribed different rules of descent for real and for personal property.

THE TAXING POWER OF AN INDIAN TRIBE

Chief among the powers of sovereignty recognized as pertaining to an Indian tribe is the power of taxation. Except where Congress has provided otherwise, this power may be exercised over members of the tribe and over nonmembers, so far as such nonmembers may accept privileges of trade, residence, etc., to which taxes may be attached as conditions.

The case of *Buster* v. *Wright* (135 Fed. 947, app. dism. 203 U. S. 599), contains an excellent analysis of the taxing power of the Creek Nation:

> Repeated decisions of the courts, numerous opinions of the Attorneys General, and the practice of years place beyond debate the propositions that prior to March 1, 1901, the Creek Nation had lawful authority to require the payment of this tax as a condition precedent to the exercise of the privilege of trading within its borders, and that the executive department of the government of the United States had plenary power to enforce its payment through the Secretary of the Interior and his subordinates, the Indian inspector, Indian agent, and Indian police. *Morris* v. *Hitchcock*, 194 U. S. 384, 392, 24 Sup. Ct. 712, 48 L. Ed. 1030; *Crabtree* v. *Madden*, 4 C. C. A. 408, 410, 413, 54 Fed. 426, 428, 431; *Maxey* v. *Wright*, 3 Ind. T. 243, 54 S. W. 807; *Maxey* v. *Wright*, 44 C. C. A. 683, 105 Fed. 1003; 18 Opinions of Attorneys General, 34, 36; 23 Opinions of Attorneys General, 214, 217, 219, 220, 528. * * * It may not be unwise, before entering upon the discussion of this proposition, to place clearly before our minds the character of the Creek Nation and the nature of the power which it is attempting to exercise.
>
> The authority of the Creek Nation to prescribe the terms upon which noncitizens may transact business within its borders did not have its origin in act of Congress, treaty, or agreement of the United States. It was one of the inherent and essential attributes of its original sovereignty. It was a natural right of that people, indispensable to its autonomy as a distinct tribe or nation, and it must remain an attribute of its government until by the agreement of the nation itself or by the superior power of the republic it is taken from it. Neither the authority nor the power of the United States to license its citizens to trade in the Creek Nation, with or without the consent of that tribe, is in issue in this case, because the complainants have no such licenses. The plenary power and lawful authority of the government of the United States by license, by treaty, or by act of Congress to take from the Creek Nation every vestige of its original or acquired governmental authority and power may be admitted, and for the purposes of this decision are here conceded. The fact remains nevertheless that every original attribute of the government of the Creek Nation still exists intact which has not been destroyed or limited by act of Congress or by the contracts of the Creek tribe itself.
>
> Originally an independent tribe, the superior power of the republic early reduced this Indian people to a "domestic, dependent nation" (*Cherokee Nation* v. *State of Georgia*, 5 Pet. 1–20, 8 L. Ed. 25), yet left it a distinct political entity, clothed with ample authority to govern its inhabitants and to manage its domestic affairs through officers of its own selection, who under a Constitution modeled after that of the United States, exercised legislative, executive and judicial functions within its territorial jurisdiction for more than half a century. The governmental jurisdiction of this nation was neither conditioned nor limited by the original title by occupancy to the lands within its territory. * * * Founded in its original national sovereignty, and secured by these treaties, the governmental authority of the Creek Nation, subject always to the superior power of the republic, remained practically unimpaired until the year 1889. Between the years 1888 and 1901 the United States by various acts of Congress deprived this tribe of all its judicial power, and curtailed its remaining authority until its powers of government have become the mere shadows of their former selves. Nevertheless its authority to fix the terms upon which noncitizens might conduct business within its territorial

boundaries guarantied by the treaties of 1832, 1856, and 1866, and sustained by repeated decisions of the courts and opinions of the Attorneys General of the United States, remained undisturbed.

* * * It is said that the sale of these lots and the incorporation of cities and towns upon the sites in which the lots are found authorized by act of Congress to collect taxes for municipal purposes segregated the town sites and the lots sold from the territory of the Creek Nation, and deprived it of governmental jurisdiction over this property and over its occupants. But the jurisdiction to govern the inhabitants of a country is not conditioned or limited by the title to the land which they occupy in it, or by the existence of municipalities therein endowed with power to collect taxes for city purposes, and to enact and enforce municipal ordinances. Neither the United States, nor a state, nor any other sovereignty loses the power to govern the people within its borders by the existence of towns and cities therein endowed with the usual powers of municipalities, nor by the ownership nor occupancy of the land within its territorial jurisdiction by citizens or foreigners. (At pp. 949–952.)

A similar opinion was rendered by the Attorney General (23 Ops. Atty. Gen. 528) with respect to the right of the Cherokee Nation to impose an export tax on hay grown within the limits of the reservation. The opinion of the Attorney General suggested that tribal authority to impose such a tax would remain "even if the shipper was the absolute owner of the land on which the hay was raised." This suggestion was referred to and approved by the United States Supreme Court in *Morris* v. *Hitchcock* (194 U. S. 384, 392).

In the latter case, the Court of Appeals of the District of Columbia, considering the validity of a tax or fee imposed by the Chickasaw Nation upon the owners of all cattle grazed within the Chickasaw territory, analyzed the status and powers of the Chickasaw Nation in these terms:

A government of the kind necessarily has the power to maintain its existence and effectiveness through the exercise of the usual power of taxation upon all property within its limits, save as may be restricted by its organic law. Any restriction in the organic law in respect of this ordinary power of taxation, and the property subject thereto, ought to appear by express provision or necessary implication. *Board Trustees* v. *Indiana*, 14 How. 268, 272; *Talbott* v. *Silver Bow Co.*, 139 U. S. 438, 448. Where the restriction upon this exercise of power by a recognized government, is claimed under the stipulations of a treaty with another, whether the former be dependent upon the latter or not, it would seem that its existence ought to appear beyond a reasonable doubt. We discover no such restriction in the clause of Article 7 of the Treaty of 1855, which excepts white persons from the recognition therein of the unrestricted right of self-government by the Chickasaw Nation, and its full jurisdiction over persons and property within its limits. The conditions of that exception may be fully met without going to the extreme of saying that it was also intended to prevent the exercise of the power to consent to the entry of noncitizens, or the taxation of property actually within the limits of that government and enjoying its benefits. (*Morris* v. *Hitchcock*, 21 App. D. C. 565, 593.)

In the case of *Maxey* v. *Wright* (3 Ind. T. 243, 54 S. W. 807, aff'd. 105 Fed. 1003), the right of an Indian tribe to levy a tax upon a nonmember of the tribe residing on its reservation was held to be an essential attribute of tribal sovereignty, which might be curtailed by express language of a treaty or statute, but otherwise remained intact. In that case the court declared:

* * * in the absence of express contradictory provisions by treaty, or by statute of the United States, the Nation (and not a citizen) is to declare who shall come within the boundaries of its occupancy, and under what conditions. (At page 36.)

See, to the same effect, 17 Ops. Atty. Gen. 134; 18 Ops. Atty. Gen. 34.

In view of the fact, however, that Congress has conferred upon the Commissioner of Indian Affairs exclusive jurisdiction to appoint traders on Indian reservations and to prescribe the terms and conditions governing their admission and operations (see Secs. 261 and 262, Title 25, U. S. Code), an Indian tribe is without power to levy a tax upon such licensed traders unless authorized by the Commissioner of Indian Affairs so to do.

THE POWER OF AN INDIAN TRIBE TO EXCLUDE NONMEMBERS FROM ITS JURISDICTION

The power of an Indian tribe to exclude nonmembers of the tribe from entering upon the reservation was first clearly formulated in an opinion of the Attorney General rendered in 1821 with respect to the lands of the Seneca Indians:

So long as a tribe exists and remains in possession of its lands, its title and possession are sovereign and exclusive; and there exists no authority to enter upon their lands, for any purpose whatever, without their consent. (1 Op. Atty. Gen. 465, 466).

It was further said in the course of this opinion that even the United States Government could not enter the Seneca lands, for the purpose of building a road or for any other purpose, without the consent of the Indians.

Although the last implication of this doctrine, if originally valid, has been superseded by many statutes authorizing and directing officers and agents of the United States to enter upon Indian lands for various purposes, the basic principle that an Indian tribe may exclude private individuals from the territory within its jurisdiction, or prescribe the conditions upon which such entry will be permitted, has been followed in a long line of cases.

Two grounds for this power of exclusion are established by the decided cases: first, the Indian tribe may exercise, over all tribal property, the rights of a landowner; second, the tribe may, in the exercise of local self-government, regulate the relations between its members and other persons, so far as may be consistent with Congressional statutes governing trade and intercourse.

In *Rainbow* v. *Young* (161 Fed. 835), it was held that the Indian superintendent and Indian police had power to remove an attorney seeking to collect fees on a day when lease money was being paid to the Indians. In addition to the specific authority to remove undesirable persons granted by Revised Statutes, sec. 2149 (recently repealed by act of May 21, 1934, Public No. 242, 73d Congress), the court found that the power to remove nonresidents was incidental to the general powers of a landowner, which the United States was qualified to exercise with respect to Indian lands:

> Besides, the reservation from which Mr. Sloan was removed is the property of the United States, is set apart and used as a tribal reservation and in respect of it the United States has the rights of an individual proprietor (citing cases) and can maintain its possession and deal with intruders in like manner as can an individual in respect of his property. (At p. 837.)

See, to the same effect, *United States* v. *Mullin* (71 Fed. 682); 20 Op. Atty. Gen. 245, holding that an injunction by a State court might properly be disobeyed; 14 Op. Atty. Gen. 451. And with respect to the general power of a government as a landowner to remove intruders see *Canfield* v. *United States* (167 U. S. 518, 524).

As was said in the case of *Stephenson* v. *Little* (18 Mich. 433), in which it was held that the United States Government as a landowner might, through officials of the Land Office, seize and direct the sale of timber cut on public lands even though other timber had been mixed with that so cut:

> It seems to me there can be no doubt that the Government has all the common law rights of an individual in respect to depredations committed on its property, and that where there is no statute making it the duty of any particular official to enforce those rights, it is *ex necessitate rei* made the duty of the Executive Department of the Government to enforce them. (At page 440.)

What is here said of the rights of the United States Government may be said with equal force of the rights of an Indian tribe. In an unallotted reservation, an Indian tribe occupies the position of a landowner in equity, if not in strict law. (*United States* v. *Sturgeon*, 6 Sawy. 29, 27 Fed. Cas. No. 16, 413.)

The cases cited with respect to the power of an Indian tribe to tax nonmembers, as a condition of entry or residence within the jurisdiction of the tribe, confirm the foregoing conclusions, and indicate further that the power of an Indian tribe to exclude nonmembers is not limited to lands in tribal ownership.

Over tribal lands, the tribe has the rights of a landowner as well as the rights of a local government, dominion as well as sovereignty. But over all the lands of the reservation, whether owned by the tribe, by members thereof, or by outsiders, the tribe has the sovereign power of determining the conditions upon which persons shall be permitted to enter its domain, to reside therein, and to do business, provided only such determination is consistent with applicable Federal laws and does not infringe any vested rights of persons now occupying reservation lands under lawful authority. *Morris* v. *Hitchcock* (194 U. S. 384) and other cases cited under heading "The Taxing Power of an Indian Tribe".

TRIBAL POWERS OVER PROPERTY

The powers of an Indian tribe with respect to property derive from two sources. In the first place, the tribe has all the rights and powers of a property owner with respect to tribal property. In the second place, the Indian tribe has, among its powers of sovereignty, the power to regulate the use and disposition of individual property among its members.

The powers of an Indian tribe over tribal property are no less absolute than the powers of any landowner, save as restricted by general acts of Congress restricting the alienation or leasing of tribal property,[1] and particular acts of Congress designed to control the disposition of particular funds or lands.

The powers of an Indian tribe with respect to tribal land are not limited by any rights of occupancy which the tribe itself may grant to its members. The proposition that occupancy of tribal land does not create any vested rights in the occupant as against the tribe is supported by a long line of court decisions:

Sizemore v. *Brady*, 235 U. S. 441;
Franklin v. *Lynch*, 233 U. S. 269;
Gritts v. *Fisher*, 224 U. S. 640;
Journeycake v. *Cherokee Nation and United States*, 28 Ct. Cls. 281;
Sac and Fox Indians of Iowa v. *Sac and Fox Indians of Oklahoma and the United States*, 45 Ct. Cls. 287, aff'd 220 U. S. 481;
Hayes v. *Barringer*, 168 Fed. 221;
Dukes v. *Goodall*, 5 Ind. T. 145, 82 S. W. 702;
In re Narragansett Indians, 20 R. I. 715;
Terrance v. *Gray*, 156 N. Y. Supp. 916;
Reservation Gas Co. v. *Snyder*, 88 Misc. 209; 150 N. Y. Supp. 216;
Application of Parker, 237 N. Y. Supp. 135;
McCurtain v. *Grady*, 1 Ind. T. 107, 38 S. W. 65;
Whitmire, trustee, v. *Cherokee Nation*, 30 Ct. Cls. 138;
Myers v. *Mathis*, 2 Ind. T. 3, 46 S. W. 178.

In the case of *Sizemore* v. *Brady*, *supra*, the Supreme Court declared:

> lands and funds belonged to the tribe as a community, and not to the members severally or as tenants in common. (At p. 446.)

Similarly, in *Franklin* v. *Lynch*, *supra*, the Supreme Court declared:

> As the tribe could not sell, neither could the individual members, for they had neither an undivided interest in the tribal land nor vendible interest in any particular tract. (At p. 271.)

In the case of *Journeycake* v. *Cherokee Nation and the United States*, *supra*, the Court of Claims carefully analyzed the laws and constitutional provisions of the Cherokee Nation and found that property within the jurisdiction of the Nation was of two kinds: communal property in which each individual had exclusive rights of occupancy in particular tracts, rights not subject to transfer or disposition except according to prescribed rules; and national property held by the tribe itself. With respect to the former type of property, the court declared:

> The distinctive characteristic of communal property is that every member of the community is an owner of it as such. He does not take as heir, or purchaser, or grantee; if he dies his right of property does not descend; if he removes from the community it expires; if he wishes to dispose of it he has nothing which he can convey; and yet he has a right of property in the land as perfect as that of any other person; and his children after him will enjoy all that he enjoyed, not as heirs but as communal owners.

Analyzing the status of tribal lands not subject to individual occupancy, the court declared:

> With this power of regulation and control of the public domain, and the *jus disponendi* lodged in the government of the Nation, it is plain that the communal element has been reduced to a minimum and exists only in the occupied lands. And it is manifest that with the growth of civilization, with all of its intricacies, and manifold requirements, the communal management of the public domain would have been utterly insufficient, and if it had continued would have been a barrier to the advancement of civilization itself.

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[1] U. S. Code, title 25, sec. 177, provides:
"*Purchases or grants of lands from Indians.* No purchase, grant, lease, or other conveyance of lands, or of any title or claim thereto, from any Indian nation or tribe of Indians, shall be of any validity in law or equity, unless the same be made by treaty or convention entered into pursuant to the Constitution. * * *"
U. S. Code, title 25, sec. 85, provides:
"*Contracts relating to tribal funds or property.* No contract made with any Indian, where such contract relates to the tribal funds or property in the hands of the United States, shall be valid, nor shall any payment for services rendered in relation thereto be made unless the consent of the United States has previously been given. (June 30, 1913, c. 4, sec. 18, 38 Stat. 97.)"
Statutes restricting tribal powers to lease tribal lands are cited at page 65 below.
The foregoing restrictions are partially modified by the Wheeler-Howard Act (Public No. 383, 73d Congress), secs. 4, 6, 17.
It is recognized that property held by the United States in trust for an Indian tribe is, like other trust property, subject to terms of the trust with respect to the use and disposition of corpus and income. Thus it is provided that tribal funds held by the United States in trust for Indian tribes may be expended only in accordance with annual statutory appropriations, except for certain designated purposes as to which annual statutory appropriation is not required. See act of May 18, 1916, c. 125, sec. 27, 39 Stat. L. 159.

With these powers of absolute ownership lodged in the Cherokee government, the power to alienate, the power to lease, the power to grant rights of occupancy, the power to restrict rights of occupancy, and with the exercise of those powers running back to the very year of the adoption of the constitution, and receiving from that time to the present, the unquestioning acquiescence of the former communal owners, the Cherokee people, it is apparent that the "public domain" of the Cherokee Nation is analogous to the "public lands" of the United States or the "demesne lands of the Crown," and that it is held absolutely by the Cherokee government, as all public property is held, a trust for governmental purposes and to promote the general welfare.

Similarly, in the case of *Hayes* v. *Barringer, supra,* the court declared, in considering the status of Choctaw and Chickasaw tribal lands:

* * * At that time these were the lands of the Choctaw and Chickasaw Nations, held by them, as they held all their lands, in trust for the individual members of their tribes, in the sense in which the public property of representative governments is held in trust for its people. But these were public lands, and, while the enrolled members of these tribes undoubtedly had a vested equitable right to their just shares of them against strangers and fellow members of their tribes, they had no separate or individual right to or equity in any of these lands which they could maintain against the legislation of the United States or of the Indian Nations. *Stephens* v. *Cherokee Nation,* 174 U. S. 445, 488, 19 Sup. Ct. 722, 43 L. Ed. 1041; *Cherokee Nation* v. *Hitchcock,* 187 U. S. 294, 23 Sup. Ct. 115, 47 L. Ed. 183; *Lone Wolf* v. *Hitchcock,* 187 U. S. 553, 23 Sup. Ct. 216, 47 L. Ed. 299; *Wallace* v. *Adams,* 143 Fed. 716, 74 C. C. A. 540; *Ligon* v. *Johnston* (C. C. A.) 164 Fed. 670.

So, too, in *United States* v. *Lucero* (1 N. M. 422), title to lands within a pueblo is recognized to lie in the pueblo itself, rather than in the individual members thereof.

The extent of any individual's interest in tribal property is subject to such limitations as the tribe may see fit to impose.

Thus in *Reservation Gas Co.* v. *Snyder, supra,* it was held that an Indian tribe might dispose of minerals on tribal lands which had been assigned to individual Indians for private occupancy, since the individual occupants had never been granted any specific mineral rights by the tribe.

In *Terrance* v. *Gray, supra,* it was held that no act of the occupant of assigned tribal land could terminate the control duly exercised by the chiefs of the tribe over the use and disposition of the land.

In *Application of Parker, supra,* it was held that the Tonawanda Nation of Seneca Indians had the right to dispose of minerals on the tribal allotments of its members and that the individual allottee had no valid claim for damages.

In the case of *McCurtain* v. *Grady, supra,* a provision of the Choctaw constitution conferring upon the discoverer of coal the right to mine all coal within a mile radius of the point of discovery was upheld as a valid exercise of tribal power.

In *Whitmire, trustee,* v. *Cherokee Nation, supra,* the Court of Claims held that the general property of the Cherokee Nation, under the provisions of the Cherokee constitution, might be used for public purposes, but could not be diverted to per capita payments to a favored class.

The chief limitation upon tribal control of membership rights in tribal property is that found in acts of Congress guaranteeing to those who sever tribal relations to take up homesteads on the public domain,[1] and to children of white men and Indian women, under certain circumstances,[2] a continuing share in the tribal property. Except for these general limitations and other specific statutory limitations found in enrollment acts and other special acts of Congress, the proper authorities of an Indian tribe have full authority to regulate the use and disposition of tribal property by the members of the tribe.

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[1] U. S. Code, title 43, sec. 189, provides that an Indian severing tribal relations to take up a homestead upon the public domain "shall be entitled to his distributive share of all annuities, tribal funds, lands and other property, the same as though he had maintained his tribal relations." For a discussion of this and related statutes, see *Oakes* v. *United States* (172 Fed. 305).

[2] U. S. Code, title 25, sec. 184:

"*Rights of children born of marriages between white men and Indian women.* All children born of a marriage solemnized prior to June 7, 1897, between a white man and an Indian woman by blood and not by adoption, where said Indian woman was on that date, or was at the time of her death, recognized by the tribe, shall have the same rights and privileges to the property of the tribe to which the mother belongs, or belonged at the time of her death, by blood, as any other member of the tribe, and no prior Act of Congress shall be construed as to debar such child of such right. (June 7, 1897, c. 3, sec. 1, 30 Stat. 90.)"

The authority of a tribal council to lease tribal lands is specifically confirmed by U. S. Code, title 25, sections 397, 398 and 402.[1] Although the exercise of such authority is made subject to the approval of the Secretary of the Interior, it has been said that:

> From the language of this statute it appears reasonably certain that it was the legislative purpose to confer primary authority upon the Indians, and that the determination of the council should be conclusive upon the government, at least in the absence of any evidence of fraud or undue influence. (*White Bear* v. *Barth*, 61 Mont. 322, 203 Pac. 517.)

U. S. Code, title 25, section 179, which imposes a penalty upon persons driving stock to range upon the lands of an Indian tribe, has been construed as recognizing the right of the tribe to permit the use of its lands for grazing purposes, for a consideration.

See: *United States* v. *Hunter*, 4 Mackey (D. C.) 531; *Kirby* v. *United States*, 273 Fed. 391, aff'd 260 U. S. 423.

Similarly, U. S. Code, title 25, section 180, imposing a penalty upon persons settling on Indian lands, has been judicially interpreted as implying that an Indian tribe has power to permit such settlement upon such terms as it may prescribe. The cases on this subject have been analyzed under the heading "The Power of an Indian Tribe to Exclude Nonmembers From Its Jurisdiction."

The authority of an Indian tribe in matters of property is not restricted to those lands or funds over which it exercises the rights of ownership. The sovereign powers of the tribe extend over the property as well as the person of its members.

Thus, in *Crabtree* v. *Madden* (54 Fed. 426), it is recognized that questions of the validity of contracts among members of the tribe are to be determined according to the laws of the tribe.

See, to the same effect: *In re Sah Quah*, 31 Fed. 327; *Jones* v. *Laney*, 2 Tex. 342.

In the latter case the question arose whether a deed of manumission freeing a negro slave, executed by a Chickasaw Indian within the territory of the Chickasaw nation, was valid. The lower court had charged the jury "that their (Chickasaw) laws and customs and usages, within the limits defined to them, governed all property belonging to any one domesticated and living with them." Approving this charge, upon the basis of which the jury had found the deed to be valid, the appellate court declared:

> Their laws and customs, regulating property, contracts, and the relations between husband wife, have been respected, when drawn into controversy, in the courts of the State and of the United States. (At p. 348.)

In the case of *Delaware Indians* v. *Cherokee Nation* (38 Ct. Cls. 234, decree mod. 193 U. S. 127), it is said:

> The law of real property is to be found in the law of the situs. The law of real property in the Cherokee country, therefore, is to be found in the constitution and laws of the Cherokee Nation.

In the case of *Myers* v. *Mathis*, *supra*, the validity of a Chickasaw statute of limitations, whereby an individual Indian suffered a loss of his improvements by reason of his absence for a fixed period, was upheld.

In the case of *James H. Hamilton* v. *United States* (42 Ct. Cls. 282), it appeared that land, buildings and personal property owned by the claimant, a licensed trader, within the Chickasaw Reservation, had been confiscated by an act of the Chickasaw legislature. The plaintiff brought suit to recover damages on the theory that such confiscation constituted an "Indian depredation". The Court of Claims dismissed the suit, declaring:

> The claimant by applying for and accepting a license to trade with the Chickasaw Indians, and subsequently acquiring property within the limits of their reservation, subjected the same to the jurisdiction of their laws. (At. p. 287.)

[1] U. S. Code, Title 25, Sec. 397:
"*Leases of Lands for grazing or mining.* Where lands are occupied by Indians who have bought and paid for the same, and which lands are not needed for farming or agricultural purposes, and are not desired for individual allotments, the same may be leased by authority of the council speaking for such Indians, for a period not to exceed five years for grazing, or ten years for mining purposes in such quantities and upon such terms and conditions as the agent in charge of such reservation may recommend, subject to the approval of the Secretary of the Interior. (Feb. 28, 1891, c. 383, Sec. 3, 26 Stat. 795.)"
U. S. Code, Title 25, Sec. 398:
"*Leases of unallotted lands for oil and gas mining purposes.* Unallotted land on Indian reservations other than lands of the Five Civilized Tribes and the Osage Reservation subject to lease for mining purposes for a period of ten years under the preceding section may be leased at public auction by the Secretary of the Interior, with the consent of the council speaking for such Indians, for oil and gas mining purposes."
U. S. Code, Title 25, Sec. 402:
"*Leases of surplus lands.* The surplus lands of any tribe may be leased for farming purposes by the council of such tribe under the same rules and regulations and for the same term of years as is now allowed in the case of leases for grazing purposes. (Aug. 15, 1894, c. 290, Sec. 1, 28 Stat. 305.)"

The authority of an Indian tribe to impose license fees upon persons engaged in trade with its members within the boundaries of the reservation is confirmed in *Zevely* v. *Weimer* (5 Ind. T. 646, 82 S. W. 941), as well as in the various cases cited under the heading "The Taxing Power of an Indian Tribe."

The power of an Indian tribe to regulate the inheritance of individual property owned by members of the tribe has been analyzed under a separate heading.

It clearly appears, from the foregoing cases, that the powers of an Indian tribe are not limited to such powers as it may exercise in its capacity as a landowner. In its capacity as a sovereign, and in the exercise of local self-government, it may exercise powers similar to those exercised by any State or Nation in regulating the use and disposition of private property, save in so far as it is restricted by specific statutes of Congress.

The laws and customs of the tribe, in matters of contract and property generally (as well as on questions of membership, domestic relations, inheritance, taxation, and residence), may be lawfully administered in the tribunals of the tribe, and such laws and customs will be recognized by courts of State or Nation in cases coming before these courts. [1]

THE POWERS OF AN INDIAN TRIBE IN THE ADMINISTRATION OF JUSTICE

The powers of an Indian tribe in the administration of justice derive from the substantive powers of self-government which are legally recognized to fall within the domain of tribal sovereignty. If an Indian tribe has power to regulate the marriage relationships of its members, it necessarily has power to adjudicate, through tribunals established by itself, controversies involving such relationships. So, too, with other fields of local government in which our analysis has shown that tribal authority endures. In all these fields the judicial powers of the tribe are co-extensive with its legislative or executive powers.

Washburn v. *Parker* (7 Fed. Sup. 120);
Raymond v. *Raymond*, (83 Fed. 721);
19 Op. Atty. Gen. 109 (1888);
7 Op. Atty. Gen. 174 (1855).

The decisions of Indian tribal courts, rendered within their jurisdiction and according to the forms of law or custom recognized by the tribe, are entitled to full faith and credit in the courts of the several states.

As was said in the case of *Standley* v. *Roberts* (59 Fed. 836, app. dism. 17 Sup. Ct. 999 men.):

> * * * the judgments of the courts of these nations, in cases within their jurisdiction, stand on the same footing with those of the courts of the territories of the Union and are entitled to the same faith and credit. (At page 845.)

And in the case of *Raymond* v. *Raymond*, *supra*, the court declared:

> The Cherokee Nation * * * is a distinct political society, capable of managing its own affairs and governing itself. It may enact its own laws, though they may not be in conflict with the constitution of the United States. It may maintain its own judicial tribunals, and their judgments and decrees upon the rights of the persons and property of members of the Cherokee Nation as against each other are entitled to all the faith and credit accorded to the judgments and decrees of territorial courts. (At page 722.)

See, also, *Nofire* v. *United States* (164 U. S. 657); *Mehlin* v. *Ice* (56 Fed. 12).

The question of the judicial powers of an Indian tribe is particularly significant in the field of law and order. For in the fields of civil controversy the rules and decisions of the tribe and its officers have a force that state courts and Federal courts will respect. But in accordance with the well settled principle that one sovereign will not enforce the criminal laws of another sovereign, state courts and Federal courts alike must decline to enforce penal provisions of tribal law. Responsibility for the maintenance of law and order is therefore squarely upon the Indian tribe, unless this field of jurisdiction has been taken over by the states or the Federal government.

[1] See: Cuthbert Pound, "Nationals Without a Nation", 22 Columbia Law Rev. 97, 101–102 (1922); W. G. Rice, Jr., "The Position of the American Indian in the Law of the United States", 16 Jour. Comp. Leg. (3d Series), part 1, p. 78 (1934).

It is illuminating to deal with the question of tribal criminal jurisdiction as we have dealt with other questions of tribal authority, by asking, first, what the original sovereign powers of the tribes were, and then, how far and in what respects these powers have been limited.

So long as the complete and independent sovereignty of an Indian tribe was recognized, its criminal jurisdiction, no less than its civil jurisdiction, was that of any sovereign power. It might punish its subjects for offenses against each other or against aliens and for public offenses against the peace and dignity of the tribe. Similarly, it might punish aliens within its jurisdiction according to its own laws and customs.[1] Such jurisdiction continues to this day, save as it has been expressly limited by the acts of a superior government.

It is clear that the original criminal jurisdiction of the Indian tribes has never been transferred to the States. Sporadic attempts of the States to exercise jurisdiction over offenses between Indians, or between Indians and whites, committed on an Indian reservation, have been held invalid usurpation of authority.

The principle that a State has no criminal jurisdiction over offenses involving Indians committed on an Indian reservation is too well established to require argument, attested as it is by a line of cases that reaches back to the earliest years of the Republic. See

Worcester v. *Georgia*, 6 Pet. 515;
United States v. *Kagama*, 118 U. S. 375;
United States v. *Thomas*, 151 U. S. 577;
Toy v. *Hopkins*, 212 U. S. 542;
United States v. *Celestine*, 215 U. S. 278;
Donnelly v. *United States*, 228 U. S. 245;
United States v. *Pelican*, 232 U. S. 442;
United States v. *Ramsey*, 271 U. S. 467;
United States v. *King*, 81 Fed. 625;
In re Lincoln, 129 Fed. 297;
United States v. *Hamilton*, 223 Fed. 685;
Yohyowan v. *Luce*, 291 Fed. 425;
State v. *Campbell*, 53 Minn. 354, 55 N. W. 553;
State v. *Big Sheep*, 75 Mont. 219, 243 Pac. 1067;
Ex parte Cross, 20 Nebr. 417;
People ex rel. Cusick v. *Daly*, 212 N. Y. 183, 105 N. E. 1048;
State v. *Cloud*, 228 N. W. 611 (Minn.);
State v. *Rufus*, 237 N. W. 671 (Wis.).

A State, of course, has jurisdiction over the conduct of an Indian off the reservation.[2] A State also has jurisdiction over some, but not all acts of non-Indians within a reservation.[3] But the relations between whites and Indians in "Indian country" and the conduct of Indians themselves in Indian country are not subject to the laws or the courts of the several States.

The denial of State jurisdiction, then, is dictated by principles of constitutional law.

On the other hand, the constitutional authority of the Federal Government to prescribe laws and to administer justice upon the Indian reservation is plenary. The question remains how far Congress has exercised its constitutional powers.

The basic provisions of Federal law with regard to Indian offenses are found in sections 217 and 218 of U. S. Code, Title 25:

Sec. 217. *General laws as to punishment extended to Indian country.* Except as to crimes the punishment of which is expressly provided for in this title, the general laws of the United States as to the punishment of crimes committed in any place within the sole and exclusive jurisdiction of the United States, except the District of Columbia, shall extend to the Indian country. (R. S. Sec. 2145.)

SEC. 218. *Exceptions as to extension of general laws.* The preceding section shall not be construed to extend to crimes committed by one Indian against the person or property of another Indian, nor to any Indian committing any offense in the Indian country who has been punished by the local

[1] This power is expressly recognized, for instance, in the Treaty of July 2, 1791, with the Cherokees (7 Stat. 40) providing: "If any citizen of the United States, or other person not being an Indian, shall settle on any of the Cherokee lands, such person shall forfeit the protection of the United States, and the Cherokees may punish him or not, as they please." (Sec. 8.)

[2] See *Pablo* v. *People* (23 Colo. 134) (upholding State jurisdiction over murder of Indian by Indian outside of reservation).

[3] See *United States* v. *McBratney* (104 U. S. 621) (declining Federal jurisdiction over murder of non-Indian by non-Indian on reservation).

law of the tribe, or to any case where, by treaty stipulations, the exclusive jurisdiction over such offenses is or may be secured to the Indian tribes respectively. (R. S. Sec. 2146; Feb. 18, 1875, c. 80, Sec. 1, 18 Stat. 318.)

These provisions recognize that, with respect to crimes ommitted by one Indian against the person or property of another Indian, the jurisdiction of the Indian tribe is plenary. These provisions further recognize that, in addition to this general jurisdiction over offenses between Indians, an Indian tribe may possess, by virtue of treaty stipulations, other fields of exclusive jurisdiction (necessarily including jurisdiction over cases involving non-Indians). "The local law of the tribe" is further recognized to the extent that the punishment of an Indian under such law must be deemed a bar to further prosecution, under any applicable Federal laws, even though the offense be one against a non-Indian.

Such was the law when the case of *Ex parte Crow Dog* (109 U. S. 556), which has been discussed in an earlier connection, arose. The United States Supreme Court there held that Federal courts had no jurisdiction to prosecute an Indian for the murder of another Indian committed on an Indian reservation, such jurisdiction never having been withdrawn from the original sovereignty of the Indian tribe.

Shortly before the decision in this case, an opinion had been rendered by the Attorney General in another Indian murder case holding that where an Indian of one tribe had murdered an Indian of another tribe on the reservation of a third tribe, even though it was not shown that any of the tribes concerned had any machinery for the administration of justice, the Federal courts had no right to try the accused. The opinion concluded:

If no demand for Foster's surrender shall be made by one or other of the tribes, founded fairly upon a violation of some law of one or other of them having jurisdiction of the offense in question according to general principles, and by forms substantially conformable to natural justice, it seems that nothing remains except to discharge him. (17 Ops. Atty. Gen. 566, 570.)

A similar decision had been reached in State courts. See *State* v. *McKenney* (18 Nev. 182).

The right of an Indian tribe to inflict the death penalty had been recognized by Congress, in the report cited above, at page 20.

Following the Crow Dog decision, Congress passed the act of March 3, 1885, Sec. 9 (23 Stats. L. 385), which, with an amendment, became Sec. 328 of the U. S. Criminal Code of 1910 and now Sec. 548 of Title 18 of the U. S. Code. This section provides for the prosecution in the Federal courts of Indians committing, within Indian reservations, any of the ten (formerly seven, then eight) specifically mentioned offenses (whether against Indians or against non-Indians), viz; murder, manslaughter, rape, incest, assault with intent to kill, assault with a dangerous weapon, arson, burglary, robbery, and larceny.[1]

Although this statute does not expressly terminate tribal jurisdiction over the enumerated crimes, and might, if the question were an original one, be interpreted as conferring only a concurrent jurisdiction upon the Federal courts, it has been construed for many years as removing all jurisdiction over the enumerated crimes from the Indian tribal authorities.

Thus, in the case of *United States* v. *Whaley* (37 Fed. 145), which arose soon after the passage of the statute in question, it had appeared fitting to the tribal council of the Tule River Reservation that a medicine man who was believed to have poisoned some twenty-one deceased patients should be executed, and he was so executed. The four tribal executioners were found guilty of manslaughter, in the Federal court, on the theory that the act of March 3, 1885, had terminated tribal jurisdiction over murder cases. Whether tribal authorities may still inflict the death penalty for offenses other than the enumerated ten major crimes is a matter of some doubt.

[1] "*548. (Criminal Code, section 328.) Indians committing certain crime; acts on reservations; rape on Indian woman.*—All Indians committing against the person or property of another Indian or other person any of the following crimes, namely, murder, manslaughter, rape, incest, assault with intent to kill, assault with a dangerous weapon, arson, burglary, robbery, and larceny on and within any Indian reservation under the jurisdiction of the United States Government, including rights of way running through the reservation, shall be subject to the same laws, tried in the same courts, and in the same manner, and be subject to the same penalties as are all other persons committing any of the above crimes within the exclusive jurisdiction of the United States: *Provided*, That any Indian who commits the crime of rape upon any female Indian within the limits of any Indian reservation shall be imprisoned at the discretion of the court: *Provided further*, That as herein used the offense rape shall be defined in accordance with the laws of the State in which the offense was committed.

The foregoing shall extend to prosecutions of Indians in South Dakota under section 549 of this title. (As amended June 28, 1932, c. 284, 47 Stat. 337.)"

The lacunae in this brief criminal code of ten commandments are serious, and indicate the importance of tribal jurisdiction in the field of law and order.

"Assault" cases that do not involve a "dangerous weapon" or where "intent to kill" cannot be proven, cannot be prosecuted in the Federal court, no matter how brutal the attack may be, or how near death the victim is placed, if death does not actually ensue; men brutally beating their wives and children are, therefore, exempt from prosecution in the Federal courts, and as above shown, the State courts do not have jurisdiction. Even assault with intent to commit rape or great bodily injury is not punishable under any Federal statute.[1]

Aside from rape and incest the various offenses involving the relation of the sexes (e. g., adultery, seduction, bigamy, and solicitation), as well as those involving the responsibility of a man for the support of his wife and children are not within the cases that can be prosecuted in Federal courts.[2]

Other offenses which may be mentioned, to which no State or Federal laws now have application, and over which no State or Federal court now has any jurisdiction, are: kidnapping, receiving stolen goods, poisoning (if the victim does not die), obtaining money under false pretenses, embezzlement, blackmail, libel, forgery, fraud, trespass, mayhem, bribery, killing of another's live stock, setting fire to prairie or timber, use of false weights and measures, carrying concealed weapons, gambling, disorderly conduct, malicious mischief, pollution of water supplies, and other offenses against public health.[3]

It is not clear whether the foregoing offenses, which are not punishable in the Federal courts when committed by one Indian against another, are likewise exempt from punishment when committed by a non-Indian against an Indian, or by an Indian against a non-Indian, if the offense occurs within the boundaries of Indian country.

In these circumstances the wrongdoer is clearly not subject to State law. He is, however, subject to the provisions of the United States Criminal Code which deals with a meager list of "offenses within admiralty, maritime and territorial jurisdiction of the United States." [4] The offenses specifically dealt with in this Federal criminal code do not include any of the offenses above enumerated except simple assault, various sex offenses, receiving stolen goods, and attempts at murder. There is, however, in the United States Criminal Code a provision (U. S. Code, Title 18, Sec. 468) which makes acts committed upon land within the exclusive jurisdiction of the United States subject to Federal prosecution whenever made criminal by State law. It may be argued that that this provision applies to offenses committed by an Indian against a non-Indian or by a non-Indian against an Indian, but no decision so holding has been found.[5]

On the foregoing analysis the limitations of Federal jurisdiction in the Indian country are apparent. The only offenses punishable in the Federal courts when committed within an Indian reservation are: The ten major crimes specially designated in U. S. Code, title 18, section 548; the special "reservation offenses" included in U. S. Code, title 25 (chiefly involving the sale of liquor); the ordinary Federal crimes applicable throughout the United States (such as counterfeiting, smuggling,[6] and offenses relative to the mails), and, with respect to offenses committed by an Indian against a non-Indian or by a non-Indian against an Indian, the special "territorial" offenses for which punishment is provided in chapters 11 and 13 of U. S. Code, title 18.

The difficulties of this situation have prompted agitation for the extension of Federal or State laws over the Indian country, which has continued for at least five decades, without success.[7]

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[1] *United States* v. *King* (81 Fed. 625).

[2] See *United States* v. *Quiver* (241 U. S. 602), discussed above under heading, "The Powers of an Indian Tribe to Regulate Domestic Relations."

[3] Cf. statements of Assistant Commissioner Meritt, before House Committee on Indian Affairs, 69th Congress, on H. R. 7826 Hearings ("Reservation Courts of Indian Offenses"), p. 91.

[4] See *Donnelly* v. *United States* (228 U. S. 243) (murder of Indian by non-Indian upon reservation held within exclusive Federal jurisdiction).

[5] *United States* v. *Barnaby* (51 Fed. 20) held that this section had no application to crimes committed by one Indian against another. The court declared:

"This attempt to adopt territorial and state laws may be classed as indolent legislation, not well adapted to producing order upon Indian reservations, or in those places under the exclusive jurisdiction of the general government, and allowing men guilty of crimes, demanding in all civilized governments punishment, as in this case, to escape their just deserts. The motion in arrest of judgment is sustained, and the defendant discharged from custody."

[6] See *Bailey* v. *United States* (47 Fed. (2d) 702), confirming conviction of tribal Indian for offense of smuggling.

[7] See Harsha, "Law for the Indians," 134 North American Review 272; James Bradley Thayer, "A People Without Law," 68 Atlantic Monthly 540, 676 (1891); Austin Abbott, "Indians and the Law," 2 Harv. Law Rev. 167 (1888); William B. Hornblower. "The Legal Status of the Indians," 14 Rep. Am. Bar Assn. 261 (1891); Resolution of American Bar Association, August 1891, in 15 Rep. Am. Bar Assn. 422 (1892); Cuthbert Pound, "Nationals Without a Nation," 22 Columbia Law Rev. 97 (1922); Meriam and Associates, "The Problem of Indian Administration," (1928), chapter 13; Ray A. Brown, "The Indian Problem and the Law", 39 Yale L. J. 307 (1930); Report of Brown, Mark, Cloud and Meriam on "Law and Order on Indian Reservations of the Northwest," Hearings Subcommittee of the Senate Committee on Indian Affairs, part 26, page 14137, *et seq.* (1932).

The propriety of the object sought is not here in question, but the agitation itself is evidence of the large area of human conduct which must be left in anarchy if it be held that tribal authority to deal with such conduct has disappeared.

Fortunately such tribal authority has been repeatedly recognized by the courts, and although it has not been actually exercised always and in all tribes, it remains a proper legal basis for the tribal administration of justice wherever an Indian tribe desires to make use of its legal powers.

The recognition of tribal jurisdiction over the offenses of tribal Indians accorded by the Supreme Court in *Ex parte Crow Dog, supra*, and *United States* v. *Quiver, supra*, indicates that the criminal jurisdiction of the Indian tribes has not been curtailed by the failure of certain tribes to exercise such jurisdiction, or by the inefficiency of its attempted exercise, or by any historical changes that have come about in the habits and customs of the Indian tribes. Only specific legislation terminating or transferring such jurisdiction can limit the force of tribal law.

A recent writer,[1] after carefully analyzing the relation between Federal and tribal law, concludes:

> This gives to many Indian tribes a large measure of continuing autonomy, for the federal statutes are only a fragment of law, principally providing some educational, hygienic and economic assistance, regulating land ownership, and punishing certain crimes committed by or upon Indians on a reservation. Where these statutes do not reach, Indian custom is the only law. As a matter of convenience, the regular courts (white men's courts) tacitly assume that the general law of the community is the law in civil cases between Indians, but these courts will apply Indian custom where it is proved. (At p. 90.)

A careful analysis of the relation between a local tribal government and the United States is found in 7 Ops. Atty. Gen. 174 (1855), in which it is held that a court of the Choctaw Nation has complete jurisdiction over a civil controversy between a Choctaw Indian and an adopted white man, involving rights to property within the Choctaw Nation:

> On the other hand, it is argued by the United States Agent, that the courts of the Choctaws can have no jurisdiction of any case in which a citizen of the United States is a party * * *.
>
> In the first place, it is certain that the Agent errs in assuming the legal impossibility of a citizen of the United States becoming subject, in civil matters, or criminal either, to the jurisdiction of the Choctaws. It is true that no citizen of the United States can, while he remains within the United States, escape their constitutional jurisdiction, either by adoption into a tribe of Indians, or any other way. But the error in all this consists in the idea that any man, citizen or not citizen, becomes divested of his allegiance to the United States, or throws off their jurisdiction or government, in the fact of becoming subject to any local jurisdiction whatever. This idea misconceives entirely the whole theory of the Federal Government, which theory is, that all the inhabitants of the country are, in regard to certain limited matters, subject to the federal jurisdiction, and in all others to the local jurisdiction, whether political or municipal. The citizen of Mississippi is also a citizen of the United States; and he owes allegiance to, and is subject to the laws of, both governments. So also an Indian, whether he be Choctaw or Chickasaw, and while subject to the local jurisdiction of the councils and courts of the Nation, yet is not in any possible relation or sense divested of his allegiance and obligations to the Government and laws of the United States.

In effect, then, an Indian tribe bears a relation to the Government of the United States similar to that which a territory bears to such Government, and similar again to that relationship which a municipality bears to a State. An Indian tribe may exercise a complete jurisdiction over its members and within the limits of the reservation,[2] subordinate only to the expressed limitations of Federal law.

Recognition of tribal authority in the administration of justice is found in the statutes of Congress, as well as in the decisions of the Federal courts.

U. S. Code, Title 25, section 229, provides that redress for a civil injury committed by an Indian shall be sought in the first instance from the "Nation or tribe to which such Indian shall belong." This provision for collective responsibility evidently assumes that the Indian tribe or Nation has its own resources for exercising disciplinary power over individual wrongdoers within the community.

We have already referred to U. S. Code, Title 25, section 218, with its express assurance that persons "punished by the law of the tribe" shall not be tried again before the Federal courts.

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[1] W. G. Rice, Jr., "The position of the American Indian in the Law of the United States," 16 Jour. Comp. Leg. (3d series), part 1, age 78 (1934).

[2] The jurisdiction of the Indian tribe ceases at the border of the reservation (see 18 Op. Atty. Gen. 440, holding that the authority of the Indian police is limited to the territory of the reservation), and Congress has never authorized appropriate extradition procedure whereby an Indian tribe may secure jurisdiction over fugitives from its justice. See *Ex parte Morgan* (20 Fed. 298).

What is even more important than these statutory recognitions of tribal criminal authority is the persistent silence of Congress on the general problem of Indian criminal jurisdiction. There is nothing to justify an alternative to the conclusion that the Indian tribes retain sovereignty and jurisdiction over a vast area of ordinary offenses over which the Federal Government has never presumed to legislate and over which the State governments have not the authority to legislate.

The attempts of the Interior Department to administer a rough-and-ready sort of justice through Courts of Indian Offenses, or directly through superintendents, cannot be held to have impaired tribal authority in the field of law and order. These agencies have been characterized, in the only reported case squarely upholding their legality, as "mere educational and disciplinary instrumentalities by which the Government of the United States is endeavoring to improve and elevate the condition of these dependent tribes to whom it sustains the relation of guardian." (*United States* v. *Clapox,* 35 Fed. 575; and cf. *Ex parte Bi-a-lil-le,* 12 Ariz. 150, 100 Pac. 450; *United States* v. *Van Wert,* 195 Fed. 974). Perhaps a more satisfactory defense of their legality is the doctrine put forward by a recent writer that the Courts of Indian Offenses "derive their authority from the tribe, rather than from Washington." [1]

Whichever of these explanations be offered for the existence of the Courts of Indian Offenses, their establishment cannot be held to have destroyed or limited the powers vested by existing law in the Indian tribes over the province of law and order and the administration of civil and criminal justice.

THE POWER OF AN INDIAN TRIBE TO SUPERVISE GOVERNMENT EMPLOYEES

Although the power to supervise regular Government employees is certainly not an inherent power of Indian tribal sovereignty, it is a power which is specifically granted to the Indian tribes by statute, subject to the discretion of the Secretary of the Interior. U. S. Code, Title 25, Section 48, provides:

> *Right of tribes to direct employment of persons engaged for them.* Where any of the tribes are, in the opinion of the Secretary of the Interior, competent to direct the employment of their blacksmiths, mechanics, teachers, farmers, or other persons engaged for them, the direction of such persons may be given to the proper authority of the tribe. (R. S. sec. 2072.)

Under the terms of this statute it is clearly within the discretionary authority of the Secretary of the Interior to grant to the proper authorities of an Indian tribe all powers of supervision and control over local employees which may now be exercised by the Secretary, e. g., the power to specify the duties, within a general range set by the nature of the employment, which the employee is to perform, the power to prescribe standards for appointment, promotion and continuance in office, the power to compel reports, from time to time, of work accomplished or begun.

It will be noted that the statute in question is not restricted to the cases in which a Federal employee is paid out of tribal funds. Senators are responsible to their constituents regardless of the source of their salaries, and heretofore most Indian Service employees have been responsible only to the Federal Government, though their salaries might be paid from the funds of the tribe.

In directing the employment of Indian Service employees, an Indian tribe may impose upon such employees the duty of enforcing the laws and ordinances of the tribe, and the authority of Federal employees so acting has been repeatedly confirmed by the courts. See *Morris* v. *Hitchcock* (194 U. S. 384); *Buster* v. *Wright* (135 Fed. 947, app. dism. 203 U. S. 599); *Maxey* v. *Wright* (3 Ind. T. 243, 54 S. W. 807, aff'd 105 Fed. 1003); *Zevely* v. *Weimer* (5 Ind. T. 646, 82 S. W. 941); 23 Ops. Atty. Gen. 528.

The section in question has not, apparently, been extensively used by the Interior Department, and that Department, under a previous administration, has recommended its repeal. Congress has not seen fit, however, to repeal the statute, and the recommendation of a previous Secretary of the Interior has no particular weight in construing the meaning of the statute.

[1] W. G. Rice, Jr., "The Position of the American Indian in the Law of the United States," 16 Jour. Comp. Leg. (3d ser.), Part 1, p. 78, 93 (1934).

CONCLUSIONS

I conclude that under Section 16 of the Wheeler-Howard Act (Public No. 383, 73d Congress) the "powers vested in any Indian tribe or tribal council by existing law", are those powers of local self-government which have never been terminated by law or waived by treaty, and that chief among these powers are the following:

1. The power to adopt a form of government, to create various offices and to prescribe the duties thereof, to provide for the manner of election and removal of tribal officers, to prescribe the procedure of the tribal council and subordinate committees or councils, to provide for the salaries or expenses of tribal officers and other expenses of public business, and, in general, to prescribe the forms through which the will of the tribe is to be executed.

2. To define the conditions of membership within the tribe, to prescribe rules for adoption, to classify the members of the tribe and to grant or withhold the right of suffrage in all matters save those as to which voting qualifications are specifically defined by the Wheeler-Howard Act (that is, the referendum on the act, and votes on acceptance, modification or revocation of Constitution, by-laws or charter), and to make all other necessary rules and regulations governing the membership of the tribe so far as may be consistent with existing acts of Congress governing the enrollment and property rights of members.

3. To regulate the domestic relations of its members by prescribing rules and regulations concerning marriage, divorce, legitimacy, adoption, the care of dependents, and the punishment of offenses against the marriage relationship, to appoint guardians for minors and mental incompetents, and to issue marriage licenses and decrees of divorce, adopting such State laws as seem advisable or establishing separate tribal laws.

4. To prescribe rules of inheritance with respect to all personal property and all interests in real property other than regular allotments of land.

5. To levey dues, fees, or taxes upon the members of the tribe and upon non-members residing or doing any business of any sort within the reservation, so far as may be consistent with the power of the Commissioner of Indian Affairs over licensed traders.

6. To remove or to exclude from the limits of the reservation non-members of the tribe, excepting authorized Government officials and other persons now occupying reservation lands under lawful authority, and to prescribe appropriate rules and regulations governing such removal and exclusion, and governing the conditions under which non-members of the tribe may come upon tribal land or have dealings with tribal members, providing such acts are consistent with Federal laws governing trade with the Indian tribes.

7. To regulate the use and disposition of all property within the jurisdiction of the tribe and to make public expenditures for the benefit of the tribe, out of tribal funds, where legal title to such funds lies in the tribe.

8. To administer justice with respect to all disputes and offenses of or among the members of the tribe, other than the ten major crimes reserved to the Federal courts.

9. To prescribe the duties and to regulate the conduct of Federal employees, but only in so far as such powers of supervision may be expressly delegated by the Interior Department.

It must be noted that these conclusions are advanced on the basis of general legislation and judicial decisions of general import, and are subject to modification with respect to particular tribes in the light of particular powers granted, or particular restrictions imposed, by special treaties or by special legislation. With this qualification, the conclusions advanced are intended to apply to all Indian tribes recognized now or hereafter by the legislative or the executive branch of the Federal Government.

Respectfully,

NATHAN R. MARGOLD, *Solicitor.*

Approved: October 25, 1934.

OSCAR L. CHAPMAN, *Assistant Secretary.*

PART VI

DOCKET OF INDIAN CLAIMS CASES PENDING IN THE COURT OF CLAIMS DECEMBER 1938

Indian Cases—General Jurisdiction

Docket No.	Name of Plaintiff	Petition Filed	Amount	Nature of Claim
B-415	The Flandreau Band of Santee Sioux Indians.	Nov. 22, 1922	$475,596.00	Lands taken.
C-531 (2)	The Sioux Tribe of Indians et al	May 7, 1934	8,000,000.00	Clothing.
C-531 (4)	The Sioux Tribe of Indians et al	May 7, 1934	8,000,000.00	Rations.
C-531 (6)	The Sioux Tribe of Indians et al	May 7, 1934	140,000.00	Seeds and implements.
C-531 (7)	The Sioux Tribe of Indians et al	May 7, 1934	189,368,531.05	Black Hills.
C-531 (8)	The Sioux Tribe of Indians et al	May 7, 1934	7,083,770.95	Lands added to 1868 reservation.
C-531 (9)	The Sioux Tribe of Indians et al	May 7, 1934	100,000.00	Wood.
C-531 (10)	The Sioux Tribe of Indians et al	May 7, 1934	15,000,000.00	Game.
C-531 (11)	The Sioux Tribe of Indians et al	May 7, 1934	40,000,000.00	Land cession.
C-531 (12)	The Sioux Tribe of Indians et al	June 11, 1934	1,903,023.22	Santee offset.
C-531 (13)	The Sioux Tribe of Indians et al	June 11, 1934	62,648.89	First taking Santee lands by Executive order.
C-531 (14)	The Sioux Tribe of Indians et al	June 11, 1934	105,024.15	Second taking Santee lands by Executive order.
C-531 (15)	The Sioux Tribe of Indians et al	June 11, 1934	96,000.00	Sale of Santee lands, Minnesota, 1861.
C-531(16)	The Sioux Tribe of Indians et al	June 11, 1934	$475,953.71	Sale of Santee lands, Minnesota, 1863.
C-531(17)	The Sioux Tribe of Indians et al	June 11, 1934	200,000.00	Rosebud Gregory County fund.
C-531(18)	The Sioux Tribe of Indians et al	June 11, 1934	1,650,000.09	Rosebud Tripp County fund.
C-531(19)	The Sioux Tribe of Indians et al	June 11, 1934	525,000.00	Rosebud Mellette County fund.
C-531(20)	The Sioux Tribe of Indians et al	June 11, 1934	25,000.00	Pine Ridge Bennett County fund.
C-531(21)	The Sioux Tribe of Indians et al	June 11, 1934	100,000.00	Crow Creek four percent fund.
C-531(22)	The Sioux Tribe of Indians et al	June 11, 1934	1,245,509.50	Lower Brule land opening.
C-531(23)	The Sioux Tribe of Indians et al	June 11, 1934	1,525,000.00	Cheyenne River land opening.
C-531(24)	The Sioux Tribe of Indians et al	June 11, 1934	1,750,000.00	Standing Rock land opening.
D-776	The Yankton Sioux	Sept. 30, 1924	Not stated	Lands taken.
E-350	The Klamath and Moadoc Tribes and Yahooskin Band of Snake Indians.	May 25, 1925	970,000.00	Accounting pursuant to treaty.
F-369	The Creek Nation	Nov. 29, 1926	Not stated	Lands taken.
F-373	The Creek Nation	Dec. 2, 1926	Not stated	Lands taken.
H-37B	The Choctaw & Chickasaw Nations	Feb. 2, 1927	2,883,620.00	Land taken.
H-163	Chippewa Indians of Minnesota	Apr. 21, 1927	23,076,000.00	Lands taken.
H-211	The Saginaw Swan Creek & Black River Bands of Chippewa Indians.	May 23, 1927	3,101,325.00	Use of funds and lands taken, etc.
J-8	Cherokee Nation	Jan. 13, 1928	8,905,160.00	Distribution of land.
J-620	The Choctaw & Chickasaw Nations	Sept. 27, 1928	12,511,039.00	Balance due on leased district coal land.
K-103	The Arapahoe & Cheyenne Indians, etc	Mar. 28, 1929	Not stated	Misappropriation of lands.
K-107	The Nez Perce Tribe of Indians	Apr. 2, 1929	3,266,826.22	Claims founded on treaties, etc.
K-187	The Choctaw Nation	May 9, 1929	1,000,000.00	Accounting of maintenance of schools.
K-281	The Choctaw Nation	June 18, 1929	1,162,500.00	Accounting of tribal funds.
K-334	The Chickasaw Nation	Aug. 5, 1929	42,563.75	One-fourth interest in lands.
K-336	The Chickasaw Nation	Aug. 5, 1929	Not stated	One-fourth interest of sum for lands, etc.
K-344	The Indians of California, etc	Aug. 14, 1929	12,800,000.00	Lands taken.
K-544	The Chickasaw Nation	Dec. 23, 1929	Not stated	Accounting, growing out of diversion of tribal estates.
L-23	The Quinaielt Tribe of Indians	Jan. 30, 1930	8,500,000.00	Lands taken, etc.
L-46	Cherokee Nation	Feb. 18, 1930	699,793.05	Balance of principal of trust funds, etc.
L-51	The Seminole Nation	Feb. 24, 1930	1,747,440.57	Interest on tribal funds.
L-78	The Creek Nation	Mar. 13, 1930	Not stated	Accounting for distribution of tribal property.
L-87	The Seminole Nation	Mar. 21, 1930	Not stated	Accounting for distribution of school funds, etc.
L-88	The Seminole Nation	Mar. 21, 1930	Not stated	Accounting for collections of annual charge, etc.
L-89	The Seminole Nation	Mar. 21, 1930	Not stated	Lands taken, etc.
L-123	The Seminole Nation	Apr. 11, 1930	Not stated	Accounting for money spent on education.
L-132	The Seminole Nation	Apr. 24, 1930	Not stated	Accounting of individual Indians, etc.
L-133	The Creek Nation	Apr. 24, 1930	Not stated	Accounting for unclaimed monies, etc.
L-136	The Creek Nation	Apr. 26, 1930	Not stated	Accounting for sale of property, etc.
L-137	The Creek Nation	Apr. 26, 1930	Not stated	Accounting for sale of town lots.
L-194	Joseph's Band of the Nez Perce Tribe of Indians.	May 22, 1930	500,000.00	Claims founded under treaties, etc.
L-205	The Creek Nation	May 31, 1930	Not stated	Land taken.
L-206	The Creek Nation	May 31, 1930	Not stated	Land taken.
L-207	The Seminole Nation	May 31, 1930	Not stated	Land taken.
L-208	The Seminole Nation	May 31, 1930	Not stated	Land taken.
L-209	The Seminole Nation	May 31, 1930	Not stated	Land taken.
L-233	The Seminole Nation	June 16, 1930	Not stated	Land taken.
L-234	The Creek Nation	June 16, 1930	Not stated	Land taken.
L-253	The Choctaw & Chickasaw Nations	June 26, 1930	Not stated	Royalties upon coal and asphalt mined.
L-257	Cherokee Nation	June 26, 1930	10,454,994.94	Land taken.

Indian Cases—General Jurisdiction—Continued

Docket No.	Name of Plaintiff	Petition Filed	Amount	Nature of Claim
L-262	The Seminole Nation	June 28, 1930	Not stated	Recovery of trust funds.
L-263	The Creek Nation	June 28, 1930	Not stated	Recovery of trust funds.
L-266	Cherokee Nation	June 28, 1930	$3,750,000.00	Property taken.
L-267	Cherokee Nation	June 28, 1930	319,584.89	Funds paid to intruders.
L-268	Cherokee Nation	June 28, 1930	407,655.06	Accounting of amounts due.
M-107	The Northwestern Band or Tribe of Shoshone Indians et al.	Mar. 28, 1931	15,070,000.00	Damages for land taken.
M-112	The Warm Springs Tribe of Indians of Oregon.	Apr. 7, 1931	5,100,000.00	Lands taken.
M-387	The Pillager Bands of Chippewa Indians in the State of Minnesota.	Oct. 20, 1931	864,000.00	Land taken under treaty of Aug. 21, 1847.
M-421	Winnebago Tribe of Indians	Dec. 3, 1931	1,719,106.28	For lands, etc., taken and for accounting.
43646	Menominee Tribe of Indians	Sept. 2, 1937	6,000,000.00	Improper or unlawful expenditures of tribal trust funds. (Special Act.)

PART VII

LIST OF INDIAN CLAIM CASES DECIDED BY THE COURT OF CLAIMS EMBRACED IN COURT OF CLAIMS REPORTS, VOLUME 1 TO 90.

Tribe	Jurisdictional Act	Compilation Volume	Court of Claims Report	S. C. Re
Algoma Lumber Co. (Klamath)	June 25, 1910	3:478	86:226	305:415.
Amos, Jack, et al	Apr. 26, 1906	3:169	51:284	255:373.
	May 29, 1908	3:356	52:90	
Assiniboine	Mar. 2, 1927	4:934	77:347	292:606.
	Mar. 29, 1928	5:39	77:347	292:606.
	June 9, 1930	5:174	77:347	292:606.
Bailey, Alonzo A	June 21, 1906	3:234	43:353	
Blackfeather, Johnson, et al	Oct. 1, 1890	1:372	28:447	155:180,2
	July 6, 1892	1:446	31:140	
	July 6, 1892	1:446	37:233	190:368.
Blackfeet, et al	Mar. 13, 1924	4:402	81:101	
	June 20, 1936	5:472	81:101	
Boudinot, Elias C	June 4, 1880	21 Stat., 544	18:716	
Butler and Vale	June 21, 1906	3:246	43:497	
Caddo, et al	June 4, 1924	4:441	89:378	
California	May 18, 1928	5:49	80:854	295:762.
	Apr. 29, 1930	5:143	80:854	295:762.
Cayuga	Jan. 28, 1893	1:460	41:462	
Cherokee Freedmen	Oct. 1, 1890	1:372	30:138, 180	
	Oct. 1, 1890	1:372	44:453	223:108.
Cherokee Nation, West	Mar. 3, 1883[1]	22 Stat. 485	19:35	117:288.
			20:449	155:218.
	Feb. 25, 1889	1:316	28:281	
Cherokee Nation	July 6, 1892	1:446	28:281	155:196.
			30:172, 180	
			31:140	193:127.
	Oct. 1, 1890	1:372	38:234	
			44:453	223:108.
			46:227	
	July 1, 1902	1:797	40:252	202:101.
			45:104, 229	
	Mar. 3, 1919	4:190	59:862	270:476.
	Mar. 19, 1924	4:403	80:1	
	Mar. 19, 1924	4:403	82:456, 566	
	Apr. 25, 1932	5:279, 376	82:566	
	Mar. 19, 1924	4:403	85:76	
Cherokees, claiming rights	Apr. 21, 1904	3:35	40:411	203:76.
	Mar. 3, 1905	3:147	40:411	
Cherokee, Creek, Seminole, Choctaw, Chickasaw	Feb. 19, 1929	5:78	83:140	
	Aug. 16, 1937	5:545	83:140	
Chickasaw	Mar. 3, 1883[1]	22 Stat. 485	19:133	
			22:222	
	Mar. 2, 1895	1:564	34:17	179:494.
Chickasaw (Freedmen)	Mar. 2, 1895	1:564	38:558	193:115.
Chickasaw	June 6, 1900	1:712	75:426	
	July 1, 1902	1:779	75:426	
	June 7, 1924	4:450	75:426	287:643.
	Feb. 19, 1929	5:78	83:140	
	June 7, 1924	4:450	83:140	
	May 19, 1926	4:550	83:140	
	Apr. 26, 1906	3:169	87:91	307:646.
Chippewa (Fond du Lac Band)	June 7, 1897	1:622	34:426	
Chippewa (Mille Lac Band)	Jan. 14, 1889	1:301	51:400	
Chippewa and Red Lake Band	Apr. 28, 1904	3:98	90:140	
	May 14, 1926	4:546	80:410	296:576.
	Apr. 11, 1928	5:41	80:410	301:358.
	May 14, 1926	4:546	87:1	305:479.
	Apr. 11, 1928	5:41	88:1	307:1.
	June 18, 1934	5:356	88:1	307:1.
Chippewa (Ottawa, Saginaw, et al., Mich.)	Mar. 3, 1905	3:158	42:240, 518	
	June 25, 1910	3:474	42:240:518	
Choctaw	Mar. 3, 1881	1:193	19:243	
	Mar. 3, 1881	1:193	21:59	119:1.
	Mar. 2, 1905	3:127	38:558	193:115.
	Mar. 2, 1895	1:564	34:19	179:494.

[1] Bowman Act.

Tribe	Jurisdictional Act	Compilation Volume	Court of Claims Report	S. C. Rep.
Choctaw (Garland)	Mar. 29, 1908	3:358	54:55	256:429.
Choctaw	May 29, 1908	3:358	59:768	272:728.
	June 21, 1906	3:212	59:796	272:728.
	June 7, 1924	4:450	81:1	296:643.
	May 19, 1926	4:550	83:49,140	300:668.
Choctaw (S. W. Peel)	Feb. 18, 1907	3:15	45:154	
Choctaw (McMurray)	May 25, 1918	4:169	62:458	275:524.
	June 19, 1919	4:230	75:494	
Choctaw	June 7, 1924	4:450	75:494	
	May 19, 1926	4:550	81:63	296:643.
	[2]		88:271	
Choctaw-Chickasaw	Feb. 19, 1929	5:78	83:140	
	Aug. 16, 1937	5:545	83:140	
Choteau	Mar. 3, 1883[1]	22 Stat., 485	20:250	
Citizen Indians of Weas	Mar. 2, 1889	1:346	9:155 26:323	95:61.
Coos Bay, Umpqua, Siuslaw	Feb. 23, 1929	5:82	87:143	
	June 14, 1932	5:285	87:143	
	Aug. 26, 1935	5:443	87:143	306:653.
Creek	May 24, 1924	4:416	63:270	274:751.
	[3]		74:663	
	May 24, 1924	4:416	77:226:159	
	May 19, 1926	4:550	77:159:226	295:103.
	May 24, 1924	4:416	78:474	
	May 29, 1928	5:64	79:778	
	Feb. 16, 1931	5:224	79:778	
	May 24, 1924	4:416	84:12	302:620.
Creek (E. J. Van Court)	May 29, 1928	5:64	87:280	
	Feb. 16, 1931	5:224	87:280	
Creek (C. W. Turner)	May 29, 1908	3:370	51:125	248:354.
Crow	July 3, 1926	4:900	81:238	
	Aug. 15, 1935	5:442	81:238	
Delaware	July 6, 1892	1:446	28:281	
	July 6, 1892	1:446	30:172	
	Mar. 3, 1905	3:147	38:234	193:127.
	Feb. 7, 1925	4:474	72:483	
	Mar. 3, 1927	4:939	72:483	
	Mar. 3, 1927	4:939	74:525	
	Mar. 3, 1927	4:939	74:368	
	Mar. 3, 1927	4:939	84:535:631	
	June 4, 1936	5:469	84:631	
Delaware & Shawnee	Mar. 3, 1887[4]	24 Stat. 507	47:321	
Duwamish, et al	Feb. 12, 1925	4:477	79:530	295:755.
Eastern Band of Cherokee	Mar. 3, 1883	1:216	19:35	
			20:449	117:288.
	Mar. 3, 1883	1:216	45:104,229	225:572.
	Mar. 3, 1883	1:216	40:252	202:101.
	July 1, 1902	1:387	82:691	
Five Civilized Tribes	Feb. 19, 1929	5:78	83:140	
	Aug. 16, 1937	5:545	83:140	
	Apr. 25, 1932	5:279	82:180,691	299:561,55
	Apr. 25, 1932	5:279	88:452	
Fond du Lac Band, Chippewa	June 7, 1897	1:622	34:416	
Fort Belknap (Gros Ventres)	June 20, 1936	5:472	81:101	
Fort Berthold (Arickaree, Gros Ventre, Mandan)	Feb. 11, 1920	4:234	71:308	
Garland, Samuel, Heirs of	May 29, 1908	3:358	54:55	256:439.
			59:768	272:728.
Gros Ventres (Fort Belknap)	Mar. 13, 1924	4:402	81:101	
	June 20, 1936	5:472	81:101	
Indians of California	May 18, 1928	5:49	80:854	295:762.
	Apr. 29, 1930	5:143	80:854	
Intermarried Whites (Cherokee)	Apr. 21, 1904	3:35	40:411	203:76.
Iowa	Apr. 28, 1920	4:266	68:585	
	Jan. 11, 1929	5:73	68:585	
	Apr. 29, 1930	5:143	68:585	
Kansas, Kaw	July 1, 1902	1:770	80:264	
	Mar 3, 1925	4:485	80:264	
	Feb. 23, 1929	5:83	80:264	296:577.
Klamath, Modoc, et al	May 26, 1920	4:268	81:79	296:244.
	May 15, 1936	5:467	85:451	304:119.
	May 26, 1920	4:268	86:614	
McCalib, C. A., Admr	June 28, 1934	5:402	83:79	
Medawakanton, Wahpakoota (Santee Sioux)	Mar. 4, 1917	4:133	57:357	
Menominee (F. F. Green)	Mar. 29, 1908	3:356	46:68	
Mille Lac Band (Chippewa)	Feb. 15, 1909	3:384	47:281	233:558.
			46:424	
			47:415	229:498.
Mississippi Choctaw (Winton)	Apr. 26, 1906	3:169	51:284	255:373.
	May 29, 1908	3:358	52:90	255:373.
			57:617	

[1] Bowman Act.
[2] Senate resolution passed Feb. 26, 1931.
[3] S. Res. 204, Jan. 26, 1931.
[4] Tucker Act.

Tribe	Jurisdictional Act	Compilation Volume	Court of Claims Report	S. C. Rep.
Muskrat, David, et al	Mar. 1, 1907	3:378	44:137	219:346.
Muskelshoot, et al	Feb. 12, 1925	4:477	79:530	295:755.
New York Indians	Jan. 28, 1893	1:460	30:413	170:614.
			40:448	173:464.
			41:462	
Nez Perce	Mar. 13, 1924	4:402	81:101	
Okanogan, et al	[5]		66:26	279:655.
Old Settlers (West. Cherokee)	Feb. 25, 1889	1:316	27:1	148:427.
Omaha	June 22, 1910	3:470	53:549	253:275.
Oneida	Mar. 3, 1883[1]	22 stat., 485	39:116	
Onondaga	Jan. 28, 1893	1:460	41:462	
Osage (Civilization Fund)	Feb. 6, 1921	4:284	66:64	279:811.
Osage (Vann-Adair)	June 21, 1906	3:233	43:353	
			45:388	
Otoe, Missouria	June 22, 1910	3:470	52:424	
Ottawa-Chippewa (Mich.)	Mar. 3, 1905	3:158	42:240:518	
Pam-To-Pee, Phineas, et al	Mar. 19, 1890	1:348	27:403	148:691.
			36:427	187:371.
Peel, S. W	Feb. 18, 1907	3:15	45:154	
Pawnee	[6]		56:1	
Pike, Luther H., heirs	Mar. 2, 1895	1:565	31:192	
Pitchlynn, Sophia C	June 21, 1906	3:212	59:796	272:728.
Pottawatomie (Prairie Band)	Mar. 19, 1890	1:348	27:403	148:691.
	Mar. 3, 1891	1:414	27:403	148:691.
Rogers, Sue M., Executrix	June 21, 1906	3:233	45:388	
Sac and Fox	Mar. 1, 1907	3:304	45:287	220:481.
Santee Sioux	Mar. 4, 1917	4:133	57:357	
Seminole	May 20, 1924	4:414	78:455	
	May 19, 1926	4:550	78:455	
	May 20, 1924	4:414	90:151	299:417.
	May 19, 1926	4:550	82:135	
	Feb. 19, 1929	5:78	83:140	
	Aug. 16, 1937	5:545	83:140	
Senecas	Jan. 28, 1893	1:460	41:462	
Shawnee	Oct. 1, 1890	1:372	28:447	
	July 6, 1892	1:446	37:233	
Shawnee-Delaware	Mar. 3, 1887[7]	24 Stat., 507	47:321	
Shoshone, Wyoming	Mar. 3, 1927	4:937	82:23–84:641–85–331.	299:476; 304:110.
			85:331	304:111.
			84:16	
			85:181	302:740.
Sioux	June 3, 1927	4:270	86:299	302:717.
			87:735	306:642.
			89:31	
	Mar. 3, 1901	1:742	39:172	
	June 21, 1906	3:239	39:172	
Sisseton-Wahpeton bands	June 21, 1906	3:239	42:416	218:561.
	Apr. 11, 1916	4:742	58:302	275:528. 277:424.
Stockbridge	June 7, 1924	4:461	61:472	
			63:268	
Sypher J. Hale	Apr. 21, 1904	3:54	63:268	
Tippett, McCalib, et al	June 28, 1934	5:402	83:79	
Turner, Clarence W	May 29, 1908	3:370	51:125	248:354.
Tuscarora	Jan. 28, 1893	1:460	41:462	
United States-Choctaw	Mar. 2, 1905	3:127	38:558	
Ute	Mar. 3, 1909	3:396	45:440	
			46:225	
Vann-Adair (Osage)	June 21, 1906	3:233	43:353	
			45:388	
Wea and Kaskatia	Mar. 2, 1889	1:346	26:326	
Western Cherokee	Feb. 25, 1889	1:316	27:1	148:427.
White Earth Chippewa Rolls	[8]		50:19	
			30:138:180	
Whitmire, Moses, Trustee	Oct. 1, 1890	1:372	31:140	
			44:453	223:108.
			46:227	
	Mar. 2, 1895	1:564	34:17	179:494.
Wichita and Affiliated	June 4, 1924	4:421	89:378	
	Apr. 21, 1932	5:254	89:378	
Winton, Charles F., et al	Apr. 26, 1906	3:169	51:284	255:373.
	May 29, 1908	3:358	52:90	255:373.
Yankton Sioux	Apr. 4, 1910	3:444	53:67	
	Jan. 9, 1925	4:471	61:40	272:351.
			65:427	277:607.

[1] Bowman Act.
[5] Vetoed bill S. 3185. (See 66 Ct. Clms. 26.)
[6] Senate resolution referring S. 10830. (See 56 Ct. Clms., 1.)
[7] Tucker Act.
[8] Sec. 148, Judicial Code.

PART VIII

INDIAN TRIBAL FUNDS

Statement of fiscal affairs of Indian tribes for the fiscal year ending June 30, 1939

Units, tribes and titles of trust and treaty funds	Balance to the credit of each tribe June 30, 1939	How and when created	
		Acts	Statutes
ALASKA			
Annette Islands Reserve, Alaska, leases, etc., act Aug. 28, 1937	$101,577	Aug. 28, 1937	50 Stat., 873.
Interest on Annette Islands Reserve, Alaska, leases, etc., act Aug. 28, 1937	2,714	do	Do.
Total	104,291		
ARIZONA			
Colorado River Agency:			
Proceeds of labor, Chemehuevi	529	Mar. 3, 1883	22 Stat., 590.
Proceeds of labor, Cocopah	552	Mar. 2, 1887	24 Stat., 463.
Interest on proceeds of labor, Cocopah	148	May 17, 1926	44 Stat., 560.
		June 13, 1930	46 Stat., 584.
Total	1,229		
Proceeds of labor, Colorado River	18,333	do	Do.
Interest on proceeds of labor, Colorado River	648	do	Do.
Proceeds of town sites, Colorado River Reservation	43,392	Apr. 30, 1908	35 Stat., 77.
Interest on proceeds of town sites, Colorado River Reservation	6,567	June 13, 1930	46 Stat., 584.
Total	68,940		
Proceeds of labor, Fort Mojave	948	Mar. 3, 1883	22 Stat., 590.
Interest on proceeds of labor, Fort Mojave	304	Mar. 2, 1887	24 Stat., 463.
		May 17, 1926	44 Stat., 560.
		June 13, 1930	46 Stat., 584.
Total	1,252		
Proceeds of labor, Yuma Indians, California	5,567	do	Do.
Interest on proceeds of labor, Yuma Indians, California	299	do	Do.
Proceeds of irrigable lands, Yuma Reservation, Calif.	3,294	Apr. 21, 1904	33 Stat., 224.
Interest on proceeds of irrigable lands, Yuma Reservation, Calif.	987	June 13, 1930	46 Stat., 584.
Total	10,147		
Fort Apache Agency:			
Proceeds of labor, Fort Apache	309,767	Mar. 3, 1883	22 Stat., 590.
Interest on proceeds of labor, Fort Apache	5,946	Mar. 2, 1887	24 Stat., 463.
		May 17, 1926	44 Stat., 560.
		June 13, 1930	46 Stat., 584.
Total	315,713		
Proceeds of White Mountain Apache land	785	Mar. 2, 1901	31 Stat., 952.
Interest on proceeds of White Mountain Apache land	310	June 13, 1930	46 Stat., 584.
Total	1,095		
Navajo Agency:			
Proceeds of labor, Navajo Indians, Arizona and New Mexico	222,995	Mar. 3, 1883	22 Stat., 590.
	11,537	Mar. 2, 1887	24 Stat., 463.
		May 17, 1926	44 Stat., 560.
		June 13, 1930	46 Stat., 584.
Total	234,532		
Pima Agency:			
Proceeds of labor, Pima	24,671	do	Do.
Interest on proceeds of labor, Pima	1,626	do	Do.
Total	26,297		
Proceeds of labor, Salt River	1,187	do	Do.
Interest on proceeds of labor, Salt River	206	do	Do.
Total	1,393		
Proceeds of labor, Camp McDowell	2,349	do	Do.
Interest on proceeds of labor, Camp McDowell	112	do	Do.
Total	2,461		

Statement of fiscal affairs of Indian tribes for the fiscal year ending June 30, 1939—Continued

Units, tribes and titles of trust and treaty funds	Balance to the credit of each tribe June 30, 1939	How and when created	
		Acts	Statutes
ARIZONA—continued			
Phoenix Agency and Sanatorium			
San Carlos Agency:			
Proceeds of labor, San Carlos	$148,212	June 13, 1930	46 Stat., 584.
Interest on proceeds of labor, San Carlos	11,658	do	Do.
Proceeds of San Carlos Reservation	534	June 10, 1896	29 Stat., 360.
Interest on proceeds of San Carlos Reservation	211	June 13, 1930	46 Stat., 584.
Total	160,615		
Sells Agency:			
Proceeds of labor, San Xavier	00	Mar. 3, 1883 / Mar. 2, 1887 / May 17, 1926 / June 13, 1930	22 Stat., 590. / 24 Stat., 463. / 44 Stat., 560. / 46 Stat., 584.
Interest on proceeds of labor, San Xavier	16		
Total	16		
Proceeds of labor, Papago	8,826	June 13, 1930	46 Stat., 584.
Interest on proceeds of labor, Papago	361	do	Do.
Proceeds of Papago Indian Reservation, Ariz., rent, etc	2,716	June 18, 1934	48 Stat., 984.
Interest on proceeds of Papago Indian Reservation, Ariz., rent, etc	249	June 13, 1930	46 Stat., 584.
Total	12,152		
Truxton Canon Agency:			
Proceeds of labor, Truxton Canon	47,896	Mar. 3, 1883 / Mar. 2, 1887 / May 17, 1926 / June 13, 1930	22 Stat., 590. / 24 Stat., 463. / 44 Stat., 560. / 46 Stat., 584.
Interest on proceeds of labor, Truxton Canon	3,341		
Total	51,237		
CALIFORNIA			
Hoopa Valley Agency:			
Proceeds of labor, Hoopa Valley	1,832	do	Do.
Interest on proceeds of labor, Hoopa Valley	153	do	Do.
Proceeds of Klamath Reservation	5,017	June 17, 1892	27 Stat., 52.
Interest on proceeds of Klamath Reservation	1,984	June 13, 1930	46 Stat., 584.
Total	8,986		
Mission Agency:			
Proceeds of labor, Augustine, total	70	Mar. 3, 1883 / Mar. 2, 1887 / May 17, 1926 / June 13, 1930	22 Stat., 590. / 24 Stat., 463. / 44 Stat., 560. / 46 Stat., 584.
Proceeds of labor, Agua Caliente	9,572	do	Do.
Interest on proceeds of labor, Agua Caliente	306	do	Do.
Total	9,878		
Proceeds of labor, Cabazon, total	00	do	Do.
Proceeds of labor, Campo, total	151	do	Do.
Proceeds of labor, Martinez	2,137	do	Do.
Interest on proceeds of labor, Martinez	441	do	Do.
Total	2,578		
Proceeds of Capitan Grande Indian Reservation	38,929	Feb. 28, 1919	40 Stat., 1206.
Interest on proceeds of Capitan Grande Indian Reservation	18,333	June 13, 1930	46 Stat., 584.
Proceeds of labor, Capitan Grande	15	Mar. 3, 1883 / Mar. 2, 1887 / May 17, 1926 / June 13, 1930	22 Stat., 590. / 24 Stat., 463. / 44 Stat., 560. / 46 Stat., 584.
Total	57,277		
Proceeds of labor, La Jolla	2,630	do	Do.
Interest on proceeds of labor, La Jolla	99	do	Do.
Total	2,729		
Proceeds of labor, Mission Creek, total	69	do	Do.
Proceeds of labor, Morongo	1,293	do	Do.
Interest on proceeds of labor, Morongo	543	do	Do.
Total	1,836		
Proceeds of labor, Pala, total	1,913	do	Do.
Proceeds of labor, Pechanga, total	4	do	Do.
Proceeds of labor, Rincon	223	do	Do.
Interest on proceeds of labor, Rincon	22	do	Do.
Total	245		
Proceeds of labor, San Pascual, total	1	do	Do.
Proceeds of labor, Santa Rosa	126	do	Do.

Statement of fiscal affairs of Indian tribes for the fiscal year ending June 30, 1939—Continued

Units, tribes and titles of trust and treaty funds	Balance to the credit of each tribe June 30, 1939	How and when created	
		Acts	Statutes
CALIFORNIA—continued			
Mission Agency—Continued.			
Interest on proceeds of labor, Santa Rosa	$56	June 13, 1930	46 Stat., 584.
Total	182		
Proceeds of labor, Santa Ysable, total	58	do	Do.
Proceeds of labor, Soboba, total	38	do	Do.
Sacramento Agency:			
Proceeds of labor, Table Mountain, total	56	do	Do.
Proceeds of labor, Fort Bidwell, total	314	do	Do.
Proceeds of labor, Anderson Valley, total	50	do	Do.
Proceeds of labor, Colfax Rancherio, total	5	do	Do.
Proceeds of labor, Round Valley	1,631	do	Do.
Interest on labor, Round Valley	422	do	Do.
Round Valley general fund	6,257	Oct. 1, 1890	26 Stat., 658.
Interest on general fund	2,025	do	Do.
Payment to Indians of Round Valley Reservation, Calif., for lands	503	Mar. 1, 1907	34 Stat., 1022.
Total	10,838		
Proceeds of labor, Tule River	750	Mar. 3, 1883 Mar. 2, 1887	22 Stat., 590. 24 Stat., 463.
Interest on proceeds of labor, Tule River	21	May 17, 1926 June 13, 1930	44 Stat., 560. 46 Stat., 584.
Total	771		
Proceeds of labor, Tuolumne Rancheria, total	24	do	Do.
COLORADO			
Consolidated Ute Agency:			
Confederated Bands of Utes 4-percent fund, Southern Ute	48,017	Mar. 4, 1913	37 Stat., 934.
Interest on Confederated Bands of Utes 4-percent fund, Southern Ute	4,647	do	Do.
Ute 5-percent fund, Southern Ute	80,726	Apr. 29, 1874	18 Stat., 41
Interest on Ute 5-percent fund, Southern Ute	12,046	do	Do.
Proceeds of Southern Ute Reservation	142,996	Feb. 20, 1895	28 Stat., 678.
Interest on proceeds of SouthernUte Reservation	18,209	June 13, 1930	46 Stat., 584.
Proceeds of labor, Southern Ute	307	Mar. 3, 1883 Mar. 2, 1887	22 Stat., 590. 24 Stat., 463.
Interest on proceeds of labor, Southern Ute	219	May 17, 1926 June 13, 1930	44 Stat., 560. 46 Stat., 584.
Total	307,167		
Confederated Bands of Ute 4-percent fund, Ute Mountain Utes	17,244	Mar. 4, 1913	37 Stat., 934.
Interest on Confederated Bands of Ute 4-percent fund, Ute Mountain Utes	1,550	do	Do.
Ute 5-percent fund, Ute Mountain Utes	113,675	Apr. 29, 1874	18 Stat., 41.
Interest on Ute 5-percent fund, Ute Mountain Utes	17,108	do	Do.
Proceeds of labor, Ute Mountain	110,659	Mar. 3, 1883 Mar. 2, 1887	22 Stat., 590. 24 Stat., 463.
Interest on proceeds of labor, Ute Mountain	12,969	May 17, 1926 June 13, 1930	44 Stat., 560. 46 Stat., 584.
Total	273,205		
FLORIDA			
Seminole Agency:			
Proceeds of labor, Seminole	6,655	Mar. 3, 1883 Mar. 2, 1887	22 Stat., 590. 24 Stat., 463.
Interest on proceeds of labor, Seminole	1,798	May 17, 1926 June 13, 1930	44 Stat., 560. 46 Stat., 584.
Total	8,453		
IDAHO			
Fort Hall Agency:			
Proceeds of labor, Fort Hall	41,452	do	Do.
Interest on proceeds of labor, Fort Hall	2,572	do	Do.
Fort Hall Reservation 4-percent fund	1,117	June 6, 1900	31 Stat., 673.
Interest on Fort Hall Reservation 4-percent fund	1,820	June 13, 1930	46 Stat., 584.
Fort Hall irrigation 4-percent fund	10,919	May 9, 1924	43 Stat., 117.
Interest on Fort Hall irrigation 4-percent fund	1,983	June 5, 1924	43 Stat., 417.
Proceeds of town sites, Fort Hall Reservation	7,898	May 31, 1918	40 Stat., 592.
Interest on proceeds of town sites, Fort Hall Reservation	1,675	June 13, 1930	46 Stat., 584.
Total	69,436		
Shoshone and Bannock fund	2,897	July 3, 1882	22 Stat., 149.
Interest on Shoshone and Bannock fund	4,230	do	Do.
Total	7,127		

Statement of fiscal affairs of Indian tribes for the fiscal year ending June 30, 1939—Continued

Units, tribes and titles of trust and treaty funds	Balance to the credit of each tribe June 30, 1939	How and when created	
		Acts	Statutes
IDAHO—continued			
Northern Idaho Agency:			
Coeur d'Alene 3-percent fund	$435	June 21, 1906	34 Stat., 335.
Interest on Coeur d'Alene 3-percent fund	501	do	Do.
Proceeds of Coeur d'Alene Reservation	68	Apr. 30, 1908	35 Stat., 78.
Interest on proceeds of Coeur d'Alene Reservation	298	June 13, 1930	46 Stat., 584.
Proceeds of labor, Coeur d'Alene	2,665	Mar. 3, 1883 Mar. 2, 1887 May 17, 1926 June 13, 1930	22 Stat., 590. 24 Stat., 463. 44 Stat., 560. 46 Stat., 584.
Interest on proceeds of labor, Coeur d'Alene	264		
Total	4,231		
Nez Perce of Idaho fund	2,193	Aug. 15, 1894	28 Stat., 331.
Interest on Nez Perce of Idaho fund	2,068	do	Do.
Proceeds of labor, Nez Perce	43,899	Mar. 3, 1883 Mar. 2, 1887 May 17, 1926 June 13, 1930	22 Stat., 590. 24 Stat., 463. 44 Stat., 560. 46 Stat., 584.
Interest on proceeds of labor, Nez Perce	6,871		
Total	55,031		
Proceeds of labor, Kalispel	1,647	do	Do.
Interest on proceeds of labor, Kalispel	358	do	Do.
Total	2,005		
IOWA			
Sac and Fox Sanatorium:			
Proceeds of labor, Sac and Fox	1,093	do	Do.
Interest on proceeds of labor, Sac and Fox	84	do	Do.
Sac and Fox of the Mississippi Iowa fund	115,414	Mar. 3, 1909 Apr. 4, 1910	35 Stat., 803. 36 Stat., 289.
Interest on Sac and Fox of the Mississippi in Iowa fund	398		
Interest on Sac and Fox of the Mississippi in Iowa fund	104	Apr. 1, 1880	21 Stat., 70.
Interest on Sac and Fox of the Mississippi in Iowa fund act of Mar. 3, 1909	417	Mar. 3, 1909	35 Stat., 803.
Total	117,510		
KANSAS			
Interest on Kaskaskia, Peoria, Wea, and Piankeshaw fund, total	435	Apr. 1, 1880	21 Stat., 70.
Potawatomi Agency:			
Potawatomi education fund	652	do	Do.
Interest on Potawatomi education fund	279	do	Do.
Potawatomi general fund	750	do	Do.
Interest on Potawatomi general fund	408	do	Do.
Potawatomi Mills fund	147	do	Do.
Interest on Potawatomi Mills fund	271	do	Do.
Proceeds of surplus Potawatomi lands, Kansas	3,312	Feb. 28, 1899	30 Stat., 909.
Interest on proceeds of surplus Potawatomi lands, Kansas	1,331	June 13, 1930	46 Stat., 584.
Potawatomies of Kansas and Wisconsin fund, act Apr. 4, 1910	210	Apr. 4, 1910	36 Stat., 289.
Interest on Potawatomies of Kansas and Wisconsin fund, act Apr. 4, 1910	253	do	Do.
Proceeds of labor, Potawatomi	745	Mar. 3, 1883 Mar. 2, 1887 May 17, 1926 June 13, 1930	22 Stat., 590. 24 Stat., 463. 44 Stat., 560. 46 Stat., 584.
Interest on proceeds of labor, Potawatomi	221		
Total	8,579		
Interest on proceeds of surplus lands, Sac and Fox of the Missouri, Kansas, and Nebraska, total.	21	do	Do.
Proceeds of labor, Kickapoo	419	Mar. 3, 1883 Mar. 2, 1887 May 17, 1926 June 13, 1930	22 Stat., 590. 24 Stat., 463. 44 Stat., 560. 46 Stat., 584.
Interest on proceeds of labor, Kickapoo	132		
Interest on Kickapoo general fund	404	Apr. 1, 1880	21 Stat., 70.
Total	955		
LOUISIANA			
Proceeds of labor, Chettimanchi	654	Mar. 3, 1883 Mar. 2, 1887 May 17, 1926 June 13, 1930	22 Stat., 590. 24 Stat., 463. 44 Stat., 560. 46 Stat., 584.
Interest on proceeds of labor, Chettimanchi	46		
Total	700		

Statement of fiscal affairs of Indian tribes for the fiscal year ending June 30, 1939—Continued

Units, tribes and titles of trust and treaty funds	Balance to the credit of each tribe June 30, 1939	How and when created	
		Acts	Statutes
MINNESOTA			
Consolidated Chippewa Agency:			
Proceeds of labor, Chippewa	$259	June 13, 1930	46 Stat., 584.
Interest on proceeds of labor, Chippewa	20	do	Do.
Chippewa in Minnesota fund	575,616	Jan. 14, 1889	25 Stat., 642.
Interest on Chippewa in Minnesota Fund	183,894	Feb. 26, 1896 June 27, 1902	29 Stat., 17. 32 Stat., 400.
Proceeds of lands and buildings, Chippewa in Minnesota	4,256	Feb. 14, 1920	41 Stat., 415.
Interest on proceeds of lands and buildings, Chippewa in Minnesota	384	June 13, 1930	46 Stat., 584.
Total	764,429		
Proceeds of town lots, White Earth Reservation	8,911	Mar. 1, 1907	34 Stat., 1932.
Interest on town lots, White Earth Reservation		June 13, 1930	46 Stat., 584.
Total	8,911		
Pipestone School			
Red Lake Agency:			
Red Lake Forest 4-percent fund	26,949	May 18, 1916	39 Stat., 137.
Interest on Red Lake Forest 4-percent fund	9,666	do	Do.
Proceeds of Red Lake Reservation, Minn	25	Feb. 20, 1904	33 Stat., 50.
Interest on proceeds of Red Lake Reservation, Minn	38	June 13, 1930	46 Stat., 584.
Proceeds of labor, Red Lake	4,877	Mar. 3, 1883	22 Stat., 590.
Interest on proceeds of labor, Red Lake	248	Mar. 2, 1887	24 Stat., 463.
Proceeds of labor, Red Lake Indians (sawmill)	257,835	May 17, 1926	44 Stat., 560.
Interest on proceeds of labor, Red Lake Indians (sawmill)		June 13, 1930	46 Stat., 584.
Chippewa in Minnesota fund. (See above.)			
Total	299,638		
MISSISSIPPI			
Choctaw Agency			
MONTANA			
Blackfeet Agency:			
Proceeds of Labor, Blackfeet	50,169	June 13, 1930	46 Stat., 584
Interest on proceeds of labor, Blackfeet	2,112	do	Do.
Blackfeet Reservation 4-percent fund	2,818	June 10, 1896	29 Stat., 354.
Interest on Blackfeet Reservation 4-percent fund	205	Mar. 1, 1907	34 Stat., 1038.
Proceeds of Blackfeet Reservation	1,992	do	Do.
Interest on proceeds of Blackfeet Reservation	187	June 13, 1930	46 Stat., 584.
Fulfilling treaties with Indians of Blackfeet Agency	55	June 7, 1897	30 Stat., 69.
Blackfeet, Blood and Piegan Tribe of Indians 4-percent fund	21,589	Mar. 13, 1924	43 Stat., 21.
Interest on Blackfeet, Blood and Piegan Tribe of Indians 4-percent fund	1,293	Aug. 12, 1935	49 Stat., 602.
Total	80,420		
Crow Agency:			
Crow Consolidated 4-percent fund	3,058	Apr. 27, 1904	[1] 33 Stat., 352.
Interest on Crow Consolidated 4-percent fund	204	June 4, 1920	41 Stat., 751.
Proceeds of town sites, Crow Reservation		do	Do.
Proceeds of labor, Crow	6,617	Mar. 3, 1883 Mar. 2, 1887	22 Stat., 590. 24 Stat., 463.
Interest on proceeds of labor, Crow	232	May 17, 1926 June 13, 1930	44 Stat., 560. 46 Stat. 584.
Total	10,111		
Flathead Agency:			
Proceeds of labor, Flathead	65,764	do	Do.
Interest on proceeds of labor, Flathead	4,006	do	Do.
Proceeds of Flathead Reservation	300	May 18, 1916	39 Stat., 141.
Interest on proceeds of Flathead Reservation	188	June 13, 1930	46 Stat., 584.
Proceeds of Flathead Reservation	281	Apr. 23, 1904	33 Stat., 305.
Total	70,539		
Fort Belknap Agency:			
Proceeds of labor, Fort Belknap	13,286	Mar. 3, 1883 Mar. 2, 1887	22 Stat., 590. 24 Stat., 463.
Interest on proceeds of labor, Fort Belknap	1,150	May 17, 1926 June 13, 1930	44 Stat., 560. 46 Stat., 584.
Fort Belknap Reservation 4-percent fund	49	June 10, 1896	29 Stat., 350.
Interest on Fort Belknap Reservation 4-percent fund	206	do	Do.
Payment to Indians of Fort Belknap Reservation, Mont., for lands	551	Mar. 3, 1921	41 Stat., 1359.
Interest on payment to Indians of Fort Belknap Reservation, Mont., for lands	678	June 13, 1930	46 Stat., 584.
Proceeds of town sites, Fort Belknap Reservation	556	Mar. 3, 1921	41 Stat., 1356.
Interest on proceeds of town sites, Fort Belknap Reservation	78	June 13, 1930	46 Stat., 584.
Total	16,554		
Interest on Gros Ventre Tribe of Indians 4-percent fund, total	246	June 20, 1936	49 Stat., 1569.

[1] Agreement.

Statement of fiscal affairs of Indian tribes for the fiscal year ending June 30, 1939—Continued

Units, tribes and titles of trust and treaty funds	Balance to the credit of each tribe June 30, 1939	How and when created	
		Acts	Statutes
MONTANA—continued			
Fort Peck Agency:			
Proceeds of labor, Fort Peck	$28,684	Mar. 3, 1883	22 Stat., 590.
Interest on proceeds of labor, Fort Peck	3,307	Mar. 2, 1887 / May 17, 1926 / June 13, 1930	24 Stat., 463. / 44 Stat., 560. / 46 Stat., 584.
Fort Peck Reservation 4-percent fund	37,992	May 30, 1908	35 Stat., 558.
Interest on Fort Peck Reservation 4-percent fund	2,743	do	Do.
Total	72,726		
Rocky Boy's Agency:			
Proceeds of labor, Rocky Boy	5,754	Mar. 3, 1883	22 Stat., 590.
Interest on proceeds of labor, Rocky Boy	368	Mar. 2, 1887 / May 17, 1926 / June 13, 1930	24 Stat., 463. / 44 Stat., 560. / 46 Stat., 584.
Total	6,122		
Tongue River Agency:			
Proceeds of labor, Tongue River	7,750	do	Do.
Interest on proceeds of labor, Tongue River	413	do	Do.
Total	8,163		
Proceeds of Northern Cheyenne Indian Reservation	1,740	June 3, 1926	44 Stat., 692.
Interest on proceeds of Northern Cheyenne Indian Reservation	357	June 13, 1930	46 Stat., 584.
Total	2,097		
NEBRASKA			
Winnebago Agency:			
Winnebago fund, Nebraska	7	Mar. 3, 1909	35 Stat., 798.
Interest on Winnebago fund, Nebraska	2,955	do	Do.
Allotted lands, proceeds of lands	301	July 4, 1888	25 Stat., 240.
Proceeds of Winnebago Reservation, Minn.-Nebr.	47	July 15, 1870	16 Stat., 361.
Fulfilling treaties with Winnebagoes, proceeds of land	342	Feb. 21, 1863	12 Stat., 659.
Proceeds of labor, Winnebago	2,133	Mar. 3, 1883	22 Stat., 590.
Interest on proceeds of labor, Winnebago	204	Mar. 2, 1887 / May 17, 1926 / June 13, 1930	24 Stat., 463. / 44 Stat., 560. / 46 Stat., 584.
Total	5,989		
Proceeds of labor, Omaha	5,691	Mar. 3, 1883	22 Stat., 590.
Interest on proceeds of labor, Omaha	359	Mar. 2, 1887 / May 17, 1926 / June 13, 1930	24 Stat., 463. / 44 Stat., 560. / 46 Stat., 584.
Omaha fund	219	Aug. 7, 1882	22 Stat., 341.
Interest on Omaha fund	1,041	do	Do.
Fulfilling treaties with Omahas, interest on deferred payments for land	77	Aug. 19, 1890	26 Stat., 329.
Total	7,387		
Sioux fund, Santee	1,106	Mar. 2, 1889	25 Stat., 895.
Interest on Sioux fund, Santee	8,089	do	Do.
Interest on Santee Sioux fund	310	Apr. 1, 1880	21 Stat., 70.
Proceeds of lands and buildings, Santee Sioux Indians, Nebraska and South Dakota.	2,469	Feb. 14, 1920	41 Stat., 415.
Interest on proceeds of lands and buildings, Santee Sioux Indians, Nebraska and South Dakota.	976	June 13, 1930	46 Stat., 584.
Proceeds of labor, Santee	664	Mar. 3, 1883	22 Stat., 590.
Interest on proceeds of labor, Santee	220	Mar. 2, 1887 / May 17, 1926 / June 13, 1930	24 Stat., 463. / 44 Stat., 560. / 46 Stat., 584.
Total	13,834		
Interest on Ponca fund	541	Mar. 3, 1881	21 Stat., 442.
Sioux fund, Ponca	458	Mar. 2, 1889	25 Stat., 888.
Interest on Sioux fund, Ponca	2,851	do	Do.
Total	3,850		
NEVADA			
Carson Agency:			
Proceeds of labor, Fort McDermott, total	219	Mar. 3, 1883	22 Stat., 590.
Proceeds of labor, Pyramid Lake	7,306	Mar. 2, 1887 / May 17, 1926 / June 13, 1930	24 Stat., 463. / 44 Stat., 560. / 46 Stat., 584.
Interest on proceeds of labor, Pyramid Lake	1,137		
Total	8,443		
Proceeds of labor, Walker River	499	do	Do.
Interest on proceeds of labor, Walker River	105	do	Do.
Total	604		

Statement of fiscal affairs of Indian tribes for the fiscal year ending June 30, 1939—Continued

Units, tribes and titles of trust and treaty funds	Balance to the credit of each tribe June 30, 1939	How and when created	
		Acts	Statutes
NEVADA—continued			
Proceeds of labor, Paiute Indians of Summit Lake	$5,918	June 13, 1930	46 Stat., 584.
Interest on proceeds of labor, Paiute Indians of Summit Lake	1,705	do	Do.
Total	7,623		
Proceeds of Paiute Indian lands, Pyramid Lake Reservation	13,730	June 7, 1924	43 Stat., 596.
Interest on proceeds of Paiute Indian lands, Pyramid Lake Reservation	1,850	June 13, 1930	46 Stat., 584.
Total	15,580		
Proceeds of labor, Indians of Winnemucca Colony, total	4	Mar. 3, 1883 Mar. 2, 1887 May 17, 1926 June 13, 1930	22 Stat., 590. 24 Stat., 463. 44 Stat., 560. 46 Stat., 584.
Western Shoshone Agency:			
Proceeds of labor, Western Shoshone	32,448	Mar. 3, 1883 Mar. 2, 1887 May 17, 1926 June 13, 1930	22 Stat., 590. 24 Stat., 463. 44 Stat., 560. 46 Stat., 584.
Interest on proceeds of labor, Western Shoshone	4,426		
Total	36,874		
NEW MEXICO			
Jicarilla Agency:			
Proceeds of labor, Jicarilla	57,352	do	Do.
Interest on proceeds of labor, Jicarilla	7,496	do	Do.
Proceeds of timber, Jicarilla Reservation	46,631	Mar. 4, 1907 May 25, 1918 June 13, 1930	34 Stat., 1413. 40 Stat., 576. 46 Stat., 584.
Interest on proceeds of timber, Jicarilla Reservation	7,494		
Total	118,973		
Mescalero Agency:			
Proceeds of labor, Mescalero	76,928	Mar. 3, 1883 Mar. 2, 1887 May 17, 1926 June 13, 1930	22 Stat., 590. 24 Stat., 463. 44 Stat., 560. 46 Stat., 584.
Interest on proceeds of labor, Mescalero	3,330		
Total	80,258		
United Pueblos Agency:			
Proceeds of labor, Santa Clara	9,395	do	Do.
Interest on proceeds of labor, Santa Clara	261	do	Do.
Total	9,656		
Proceeds of labor, Picuris, total	2	do	Do.
Proceeds of labor, Sandia Pueblo, total	1	do	Do.
Proceeds of labor, Pojoaque, total	424	do	Do.
Proceeds of labor, San Ildefonso, total	96	do	Do.
Proceeds of labor, San Juan, total	276	Mar. 3, 1883 Mar. 2, 1887 May 17, 1926 June 13, 1930	22 Stat., 590. 24 Stat., 463. 44 Stat., 560. 46 Stat., 584.
Proceeds of labor, Cochiti, total	28		
Proceeds of labor, Tesuque, total	15		
Proceeds of labor, Jemez Pueblo, total	93	do June 13, 1930	Do. 46 Stat., 584.
Proceeds of labor, Zuni	3,606	do	Do.
Interest on labor, Zuni	479	do	Do.
Total	4,085		
Cochiti Pueblo compensation 4 percent fund	26,892	June 7, 1924 May 31, 1933 June 26, 1934 June 13, 1930	43 Stat., 636. 48 Stat., 109. 48 Stat., 1233. 46 Stat., 584.
Interest on Cochiti Pueblo compensation 4 percent fund	995		
Total	27,887		
Isleta Pueblo compensation 4 percent fund	28,546	do	Do.
Interest on Isleta Pueblo compensation 4 percent fund	650	do	Do.
Total	29,196		
Laguna Pueblo compensation 4 percent fund	19,473	do	Do.
Interest on Laguna Pueblo compensation 4 percent fund	431	do	Do.
Total	19,904		
Nambe Pueblo compensation 4 percent fund	52,104	do	Do.
Interest on Nambe Pueblo compensation 4 percent fund	1,263	do	Do.
Total	53,367		

Statement of fiscal affairs of Indian tribes for the fiscal year ending June 30, 1939—Continued

Units, tribes and titles of trust and treaty funds	Balance to the credit of each tribe June 30, 1939	How and when created	
		Acts	Statutes
NEW MEXICO—continued			
United Pueblos Agency—Continued.			
Jemez Pueblo 4 percent fund	$500	Dec. 22, 1927	45 Stat., 18.
Interest on Jemez Pueblo 4 percent fund	220	do	Do.
Jemez Pueblo compensation 4 percent fund	27,180		
Interest on Jemez Pueblo compensation 4 percent fund	678	June 7, 1924 May 31, 1933 June 26, 1934 June 13, 1930	43 Stat., 636. 48 Stat., 109. 48 Stat.,1233. 46 Stat., 584.
Total	28,578		
Picuris Pueblo compensation 4-percent fund	71,918	do	Do.
Interest on Picuris Pueblo compensation 4-percent fund	209	do	Do.
Picuris Pueblo 4-percent fund	47,133	Mar. 4, 1929	45 Stat., 1638.
Interest on Picuris Pueblo 4-percent fund	10,156	do	Do.
Total	129,416		
Pojoaque Pueblo compensation 4-percent fund	115,041	June 7, 1924 May 31, 1933 June 26, 1934 June 13, 1930	43 Stat., 636. 48 Stat., 109. 48 Stat.,1233. 46 Stat., 584.
Interest on Pojoaque Pueblo compensation 4-percent fund	2,369		
Total	117,410		
Sandia Pueblo compensation 4-percent fund	22,739	do	Do.
Interest on Sandia Pueblo compensation 4-percent fund	437	do	Do.
Total	23,176		
San Felipe Pueblo compensation 4-percent fund	850	do	Do.
Interest on San Felipe Pueblo compensation 4-percent fund	300	do	Do.
Total	1,150		
San Ildefonso Pueblo compensation 4-percent fund	24,783	do	Do.
Interest on San Ildefonso Pueblo compensation 4-percent fund	141	do	Do.
San Ildefonso Pueblo 4-percent fund	1,932	Mar. 26, 1930	46 Stat., 102.
Interest on San Ildefonso Pueblo 4-percent fund	522	do	Do.
Total	27,378		
San Juan Pueblo compensation 4-percent fund	149,992	June 7, 1924 May 31, 1933 June 26, 1934	43 Stat., 636. 48 Stat., 109. 48 Stat.,1233.
Interest on San Juan Pueblo compensation 4-percent fund	4,526	June 13, 1930	46 Stat., 584.
Total	154,518		
Santa Ana Pueblo compensation 4-percent fund	2,727	do	Do.
Interest on Santa Ana Pueblo compensation 4-percent fund	181	do	Do.
Santa Ana Pueblo 4-percent fund	1,890	Mar. 4, 1929	45 Stat., 1569.
Interest on Santa Ana Pueblo 4-percent fund	713	do	Do.
Total	5,511		
Santa Clara Pueblo compensation 4-percent fund	226,512	June 7, 1924 May 31, 1933 June 26, 1934	43 Stat., 636. 48 Stat., 109. 48 Stat.,1233.
Interest on Santa Clara Pueblo compensation 4-percent fund	9,304	June 13, 1930	46 Stat., 584.
Proceeds of Puye Cliff Ruins, Santa Clara Pueblo	12,257	Mar. 4, 1929	45 Stat.,1586.
Interest on proceeds of Puye Cliff Ruins, Santa Clara Pueblo	3,357	June 13, 1930	46 Stat., 584.
Total	251,430		
Santo Domingo Pueblo compensation 4-percent fund	5,210	June 7, 1924 May 31, 1933 June 26, 1934	43 Stat., 636. 48 Stat., 109. 48 Stat.,1233.
Interest on Santo Domingo Pueblo compensation 4-percent fund	354	June 13, 1930	46 Stat., 584.
Total	5,564		
Taos Pueblo compensation 4-percent fund	116,785	do	Do.
Interest on Taos Pueblo compensation 4-percent fund	2,556	do	Do.
Total	119,341		
Tesuque Pueblo compensation 4-percent fund	426	do	Do.
Tesuque Pueblo 4-percent fund	9,765	Dec. 22, 1927	45 Stat., 17.
Interest on Tesuque Pueblo 4-percent fund	6,974	do	Do.
Total	17,165		

Statement of fiscal affairs of Indian tribes for the fiscal year ending June 30, 1939—Continued

Units, tribes and titles of trust and treaty funds	Balance to the credit of each tribe June 30, 1939	How and when created	
		Acts	Statutes
NEW YORK			
New York Agency:			
Seneca Tonawanda Band fund	$15,410	Apr. 1, 1880	21 Stat., 70.
Interest on Seneca Tonawanda Band fund	4,067	do	Do.
Senecas of New York fund	610	Mar. 3, 1909	35 Stat., 800.
Interest on Senecas of New York fund	1,095	do	Do.
Fulfilling treaties with Senecas of New York	1,796	Feb. 19, 1831	4 Stat., 442.
Fulfilling treaties with Six Nations of New York	1,602	Nov. 11, 1794	7 Stat., 46.
Proceeds of tribal leases, etc., Seneca Nation	16,719	Feb. 28, 1901	31 Stat., 819.
Interest on proceeds of tribal leases, etc., Seneca Nation	382	June 13, 1930	46 Stat., 584.
Proceeds of labor, Tonawanda Seneca	3	Mar. 3, 1883 Mar. 2, 1887 May 17, 1926 June 13, 1930	22 Stat., 590. 24 Stat., 463. 44 Stat., 560. 46 Stat., 584.
Total	41,684		
NORTH CAROLINA			
Cherokee Agency:			
Proceeds of labor, Eastern Cherokee Indians	190,042	Mar. 3, 1883 Mar. 2, 1887 May 17, 1926	22 Stat., 590. 24 Stat., 463. 44 Stat., 560.
Interest on proceeds of labor, Eastern Cherokee Indians	17,559		
Total	207,601		
NORTH DAKOTA			
Fort Berthold Agency:			
Proceeds of labor, Fort Berthold	244	do	Do.
Interest on proceeds of labor, Fort Berthold	78	do	Do.
Fort Berthold Reservation 3-percent fund	35,245	June 1, 1910	36 Stat., 458.
Interest on Fort Berthold Reservation 3-percent fund	6,630	May 18, 1916	39 Stat., 144.
Fulfilling treaties with Indians at Fort Berthold Agency	112	Mar. 3, 1891	26 Stat., 1032.
Interest on judgment, Court of Claims, Indians of Fort Berthold Reservation	97	Feb. 6, 1931	46 Stat., 1076.
Payment to Indians of Fort Berthold Reservation, N. Dak., for lands	500	Feb. 12, 1920	41 Stat., 424.
Total	42,906		
Fort Totten Agency:			
Proceeds of labor, Devils Lake	386	Mar. 3, 1883 Mar. 2, 1887 May 17, 1926 June 13, 1930	22 Stat., 590. 24 Stat., 463. 44 Stat., 560. 46 Stat., 584.
Interest on proceeds of labor, Devils Lake	55		
Proceeds of Devils Lake Reservation	100	Apr. 27, 1904	33 Stat., 319.
Interest on proceeds of Devils Lake Reservation	28	June 13, 1930	46 Stat., 584.
Total	569		
Interest on Sisseton and Wahpeton 4-percent fund, total	2	June 21, 1930	46 Stat., 794.
Standing Rock Agency:			
Proceeds of labor, Standing Rock	3,886	Mar. 3, 1883 Mar. 2, 1887 May 17, 1926 June 13, 1930	22 Stat., 590. 24 Stat., 463. 44 Stat., 560. 46 Stat., 584.
Interest on proceeds of labor, Standing Rock	188		
Standing Rock Reservation 3-percent fund	5,421	May 29, 1908	35 Stat., 463.
Interest on Standing Rock Reservation 3-percent fund	208	do	Do.
Standing Rock Reservation 3-percent Fund Act, Feb. 14, 1913	2,159	Feb. 14, 1913	37 Stat., 675.
Interest on Standing Rock Reservation 3-percent fund	155	do	Do.
Sioux fund, Standing Rock	2,329	Mar. 2, 1889	25 Stat., 895.
Interest on Sioux fund, Standing Rock	2,586	do	Do.
Proceeds of Cheyenne River and Standing Rock Reservation, S. Dak., and N. Dak. (Standing Rock).	218	May 29, 1908	35 Stat., 463.
Interest on proceeds of Cheyenne River and Standing Rock Reservation, S. Dak., and N. Dak. (Standing Rock).	41	do	Do.
Proceeds of lands, Standing Rock Sioux	62	Apr. 12, 1924	43 Stat., 93
Total	17,253		
Turtle Mountain Agency:			
Fulfilling treaties with Chippewa of Turtle Mountain Band	338	Apr. 21, 1904	33 Stat., 194.
Proceeds of labor, Turtle Mountain	89	Mar. 3, 1883 Mar. 2, 1887 May 17, 1926 June 13, 1930	22 Stat., 590. 24 Stat., 463. 44 Stat., 560. 46 Stat., 584.
Total	427		
OKLAHOMA			
Cheyenne and Arapaho Agency:			
Proceeds of labor, Cheyenne and Arapaho	741	do	Do.
Interest on proceeds of labor, Cheyenne and Arapaho	362	do	Do.
Cheyenne and Arapaho in Oklahoma fund	758	Mar. 3, 1891	[2] 26 Stat., 1025.
Interest on Cheyenne and Arapaho in Oklahoma fund	240	do	Do.
Cheyenne and Arapaho in Oklahoma 3-percent fund	84	June 7, 1910	36 Stat., 533.
Interest on Cheyenne and Arapaho in Oklahoma 3-percent fund	74	do	Do.
Proceeds of Cheyenne and Arapaho reserve land	365	May 29, 1908 Jan. 31, 1910	35 Stat., 448. 36 Stat., 190.
Total	2,624		

[2] Agreement.

Statement of fiscal affairs of Indian tribes for the fiscal year ending June 30, 1939—Continued

Units, tribes and titles of trust and treaty funds	Balance to the credit of each tribe June 30, 1939	How and when created	
		Acts	Statutes
OKLAHOMA—continued			
Five Civilized Tribes Agency:			
Proceeds of land, etc., Five Civilized Tribes (Choctaw)	$240,091	July 1, 1902 Apr. 26, 1906	32 Stat., 641. 34 Stat., 137.
Interest on proceeds of land, etc., Five Civilized Tribes (Choctaw)	9,074	June 13, 1930	46 Stat., 584.
Fulfilling treaties with Choctaws	61,921	Mar. 10, 1926	44 Stat., 477.
Interest on Choctaw money on deposit in banks, act Mar. 3, 1911, interest	19	Mar. 3, 1911	36 Stat., 1070.
Proceeds of labor, Choctaw	122	Mar. 3, 1883 Mar. 2, 1887 May 17, 1926 June 13, 1930	22 Stat., 590. 24 Stat., 463. 44 Stat., 560. 46 Stat., 584.
Interest on proceeds of labor, Choctaw	21		
Total	311,248		
Proceeds of labor, Chickasaw (unallotted lands)	15	do	Do.
Proceeds of lands, etc., Five Civilized Tribes (Chickasaw)	63,816	July 1, 1902 Apr. 26, 1906	32 Stat., 641. 34 Stat., 137.
Interest on proceeds of lands, etc., Five Civilized Tribes (Chickasaw)	1,554	June 13, 1930	46 Stat., 584.
Proceeds of lands, Chickasaw Nation Treaty, Oct. 20, 1832	41	Oct. 20, 1832	7 Stat., 381.
Total	65,426		
Proceeds of lands, etc., Five Civilized Tribes (Cherokee)	368	Apr. 26, 1906	34 Stat., 137.
Interest on proceeds of lands, etc., Five Civilized Tribes (Cherokee)	51	June 13, 1930	46 Stat., 584.
Proceeds of labor, Cherokee	68	Mar. 3, 1883 Mar. 2, 1887 May 17, 1926 June 13, 1930	22 Stat., 590. 24 Stat., 463. 44 Stat., 560. 46 Stat., 584.
Interest on Cherokee school fund	12	Sept. 27, 1830	7 Stat., 333.
Total	499		
Proceeds of lands, etc., Five Civilized Tribes (Creek)	463	June 30, 1902 Apr. 26, 1906	32 Stat., 500. 34 Stat., 137.
Interest on proceeds of lands, etc., Five Civilized Tribes (Creek)	64	June 13, 1930	46 Stat., 584.
Judgment, Court of Claims, Creek Indian Nation	118,185	June 19, 1934	48 Stat., 1033.
Interest on judgment, Court of Claims, Creek Indian Nation	20,293	June 13, 1930	46 Stat., 584.
Creek Nation of Indians, judgment fund	302,997	May 24, 1924	43 Stat., 139.
Total	442,002		
Proceeds of lands, etc., Five Civilized Tribes (Seminole)	73,530	Apr. 26, 1906	34 Stat., 137.
Interest on proceeds of lands, etc., Five Civilized Tribes (Seminole)	17,511	June 13, 1930	46 Stat., 584.
Seminole school fund	50,015	July 1, 1898	30 Stat., 568.
Interest on Seminole school fund	25,809	do	Do.
Interest on Seminole moneys on deposit in banks, act Mar. 3, 1911, interest	33	Mar. 3, 1911	36 Stat., 1070.
Seminole Nation, Oklahoma, judgment fund	10,099	June 26, 1934 Aug. 25, 1937	48 Stat., 1233. 50 Stat., 777.
Interest on Seminole Nation, Oklahoma, judgment fund	546	June 13, 1930	46 Stat., 584.
Total	177,543		
Kiowa Agency:			
Interest on Apache, Kiowa, and Comanche fund	4,097	Mar. 3, 1901	31 Stat., 1062.
Apache, Kiowa, and Comanche 4 percent fund	5	June 5, 1906	34 Stat., 215.
Interest on Apache, Kiowa, and Comanche 4 percent fund	137	June 28, 1906 Mar. 27, 1908	34 Stat., 550. 35 Stat., 49.
Proceeds of oil and gas, south half of Red River, Kiowa, Comanche, and Apache	72,665	Mar. 4, 1923 June 12, 1926	42 Stat., 1448. 44 Stat., 740.
Interest on proceeds of oil and gas, south half of Red River, Kiowa, Comanche, and Apache	23,863	June 13, 1930	46 Stat., 584.
Total	100,767		
Kiowa Agency hospital 4 percent fund	7,647	June 30, 1913	38 Stat., 92.
Interest on Kiowa Agency hospital 4 percent fund	1,355	do	Do.
Total	9,002		
Proceeds of labor, Kiowa	11,371	Mar. 3, 1883 Mar. 2, 1887 May 17, 1926 June 13, 1930	22 Stat., 590. 24 Stat., 463. 44 Stat., 560. 46 Stat., 584.
Interest on proceeds of labor, Kiowa	960		
Total	12,331		
Proceeds of Wichita ceded land	2,043	Mar. 2, 1895	28 Stat., 894.
Interest on proceeds of Wichita ceded land	596	June 13, 1930	46 Stat., 584.
Proceeds of labor, Wichita	2,696	Mar. 3, 1883 Mar. 2, 1887 May 17, 1926 June 13, 1930	22 Stat., 590. 24 Stat., 463. 44 Stat., 560. 46 Stat., 584.
Interest on proceeds of labor, Wichita	432		
Total	5,767		

Statement of fiscal affairs of Indian tribes for the fiscal year ending June 30, 1939—Continued

Units, tribes and titles of trust and treaty funds	Balance to the credit of each tribe June 30, 1939	How and when created	
		Acts	Statutes
OKLAHOMA—continued			
Osage Agency:			
Proceeds of labor, Osage	$5,086	June 13, 1930	46 Stat., 584.
Interest on proceeds of labor, Osage	855	do	Do.
Osage fund	2,681,425	July 15, 1870	16 Stat., 362.
		May 28, 1880	21 Stat., 143.
Interest on Osage fund	60,592	June 26, 1880	21 Stat., 292.
		Aug. 19, 1890	26 Stat., 344.
Proceeds of oil and gas lease royalties, etc., Osage Reservation	641,235	June 28, 1906	34 Stat., 544.
Interest on proceeds of oil and gas lease royalties, etc., Osage Reservation	00	June 13, 1930	46 Stat., 584.
Total	3,389,193		
Pawnee Agency:			
Proceeds of labor, Pawnee	3,901	Mar. 3, 1883	22 Stat., 590.
		Mar. 2, 1887	24 Stat., 463.
Interest on proceeds of labor, Pawnee	482	May 17, 1926	44 Stat., 560.
		June 13, 1930	46 Stat., 584.
Total	4,383		
Proceeds of labor, Kaw, total	43	do	Do.
Interest on Otoe and Missouri fund	1,043	Aug. 15, 1876	19 Stat., 208.
Proceeds of labor, Otoe and Missouri	1,883	Mar. 3, 1883	22 Stat., 590.
		Mar. 2, 1887	24 Stat., 463.
Interest on proceeds of labor, Otoe and Missouri	145	May 17, 1926	44 Stat., 560.
		June 13, 1930	46 Stat., 584.
Total	3,071		
Proceeds of labor, Tonkawa	670	June 13, 1930	46 Stat., 584.
Interest on proceeds of labor, Tonkawa	59	do	Do.
Total	729		
Proceeds of labor, Ponca	4,586	do	Do.
Interest on proceeds of labor, Ponca	382	do	Do.
Total	4,968		
Kansas consolidated fund	735	June 1, 1902	32 Stat., 638.
Interest on Kansas consolidated fund	1,810	do	Do.
Total	2,545		
Quapaw Agency:			
Proceeds of labor, Seneca, total	388	Mar. 3, 1883	22 Stat., 590.
		Mar. 2, 1887	24 Stat., 463.
		May 17, 1926	44 Stat., 560.
		June 13, 1930	46 Stat., 584.
Interest on proceeds of lands, Wyandotte, total	47	do	Do.
Interest on proceeds of surplus lands, Quapaw Agency, Okla., total	26	do	Do.
Shawnee Agency and Sanatorium:			
Interest on Iowa fund	320	Apr. 21, 1880	21 Stat., 70.
Interest on proceeds of labor, Iowa Indians, Kansas	95	June 13, 1930	46 Stat., 584.
Total	415		
Kickapoos in Oklahoma fund	364	Mar. 3, 1893	27 Stat., 562.
Interest on Kickapoos in Oklahoma fund	718	do	Do.
Total	1,082		
Payment to absentee Shawnees for lands	1,836	Mar. 3, 1891	26 Stat., 1021.
Proceeds of labor, absentee Shawnee	977	Mar. 3, 1883	22 Stat., 590.
		Mar. 2, 1887	24 Stat., 463.
Interest on proceeds of labor, absentee Shawnee	284	May 17, 1926	44 Stat., 560.
		June 13, 1930	46 Stat., 584.
Total	3,097		
Interest on Sac and Fox of the Mississippi, Oklahoma	0	Mar. 3, 1909	35 Stat., 803.
		Apr. 4, 1910	36 Stat., 289.
Interest on Sac and Fox of the Mississippi in Oklahoma fund	0	Feb. 13, 1891	26 Stat., 758.
Proceeds of labor, Sac and Fox	17,702	Mar. 3, 1883	22 Stat., 590.
		Mar. 2, 1887	24 Stat., 463.
Interest on proceeds of labor, Sac and Fox	645	May 17, 1926	44 Stat., 560.
		June 13, 1930	46 Stat., 584.
Total	18,347		
Seneca and Shawnee fund	1,565	Apr. 1, 1880	21 Stat., 70.
Interest on Seneca and Shawnee fund	3,424	do	Do.
Total	4,989		

Statement of fiscal affairs of Indian tribes for the fiscal year ending June 30, 1939—Continued

Units, tribes and titles of trust and treaty funds	Balance to the credit of each tribe June 30, 1939	How and when created	
		Acts	Statutes
OREGON			
Klamath Agency:			
Payment to Indians of Klamath Agency	$3,486	June 21, 1906	34 Stat., 367.
Klamath fund	3,872	do	Do.
Interest on Klamath fund	4,388	do	Do.
Payment to Indians of Klamath Agency, Oreg., for lands conveyed to California to & Oregon Land Co.	268	Apr. 30, 1908	35 Stat., 92.
Interest on payment to Indians of Klamath Agency, Oreg., for lands conveyed California & Oregon Land Co.	71	June 13, 1930	46 Stat., 584.
Proceeds of labor, Klamath	117,216	Mar. 3, 1883 Mar. 2, 1887	22 Stat., 590. 24 Stat., 463.
Interest on proceeds of labor, Klamath	4,116	May 17, 1926	44 Stat., 560.
Klamath Indians, Oregon, revolving loan fund	9,789	June 13, 1930	46 Stat., 584.
Interest on Klamath Indians, Oregon, revolving loan fund	2,095	Aug. 28, 1937	50 Stat., 872.
Klamath Indians, Oregon, capital reserve fund	150,000	June 13, 1930 Aug. 28, 1937	46 Stat., 584. 50 Stat., 872.
Interest on Klamath Indians, Oregon, capital reserve fund	6,203	do	Do.
Klamath and Modoc Tribes and Yahooskin Band of Snake Indians judgment fund (trust account).	5,112,390	June 26, 1934	48 Stat., 1233.
Interest on Klamath and Modoc Tribes and Yahooskin Band of Snake Indians judgment fund (trust account).	101,908	June 13, 1930	46 Stat., 584.
Total	5,515,802		
Salem School:			
Proceeds of lands and buildings, Siletz	600	Feb. 14, 1920	41 Stat., 415.
Interest on proceeds of lands and buildings, Siletz	237	June 13, 1930	46 Stat., 584.
Proceeds of labor, Siletz	50	Mar. 3, 1883 Mar. 2, 1887 May 17, 1926 June 13, 1930	22 Stat., 590. 24 Stat., 463. 44 Stat., 560. 46 Stat., 584.
Total	887		
Umatilla Agency:			
Proceeds of labor, Umatilla	11,702	June 13, 1930	46 Stat., 584.
Interest on proceeds of labor, Umatilla	1,508	do	Do.
Umatilla general fund	223	Mar. 3, 1885	23 Stat., 343.
Interest on Umatilla general fund	322	do	Do.
Umatilla school fund	311	Aug. 5, 1882	22 Stat., 297.
Interest on Umatilla school fund	665	do	Do.
Total	14,732		
Warm Springs Agency:			
Proceeds of labor, Warm Springs	2,852	Mar. 3, 1883 Mar. 2, 1887	22 Stat., 590. 24 Stat., 463.
Interest on proceeds of labor, Warm Springs	438	May 17, 1926 June 13, 1930	44 Stat., 560. 46 Stat., 584.
Total	3,290		
SOUTH DAKOTA			
Cheyenne River Agency:			
Cheyenne River Reservation 3-percent fund	90,708	May 29, 1908	35 Stat., 463.
Interest on Cheyenne River Reservation 3-percent fund	30,174	do	Do.
Cheyenne River Reservation 3-percent fund, act Jan. 28, 1913	13,787	Jan. 28, 1913	37 Stat., 653.
Interest on Cheyenne River Reservation 3-percent fund, act Jan. 28, 1913	3,377	do	Do.
Sioux Fund, Cheyenne River	33,311	Mar. 2, 1889	25 Stat., 895.
Interest on Sioux Fund, Cheyenne River	12,383	do	Do.
Proceeds of Cheyenne River and Standing Rock Reservation, S. Dak. and N. Dak., (Cheyenne River)	157	May 29, 1908	35 Stat., 463.
Interest on proceeds of Cheyenne River and Standing Rock Reservation, S. Dak. and N. Dak., (Cheyenne River)	427	June 13, 1930	46 Stat., 584.
Proceeds of labor, Cheyenne River	14,333	Mar. 3, 1883 Mar. 2, 1887	22 Stat., 590. 24 Stat., 463.
Interest on proceeds of labor, Cheyenne River	464	May 17, 1926 June 13, 1930	44 Stat., 560. 46 Stat., 584.
Total	199,121		
Crow Creek Agency:			
Crow Creek 4-percent fund	1,376	Mar. 2, 1895	28 Stat., 888.
Interest on Crow Creek 4-percent fund	781	do	Do.
Sioux fund, Crow Creek	13,794	Mar. 2, 1889	25 Stat., 895.
Interest on Sioux fund, Crow Creek	2,859	do	Do.
Proceeds of labor, Crow Creek	1,179	Mar. 3, 1883 Mar. 2, 1887	22 Stat., 590. 24 Stat., 463.
Interest on proceeds of labor, Crow Creek	118	May 17, 1926 June 13, 1930	44 Stat., 560. 46 Stat., 584.
Total	20,107		

Statement of fiscal affairs of Indian tribes for the fiscal year ending June 30, 1939—Continued

Units, tribes and titles of trust and treaty funds	Balance to the credit of each tribe June 30, 1939	How and when created	
		Acts	Statutes
SOUTH DAKOTA—continued			
Crow Creek Agency—Continued.			
Sioux fund, Lower Brule	$4,685	Mar. 2, 1889	25 Stat., 895.
Interest on Sioux fund, Lower Brule	2,649	do	Do.
Proceeds of Lower Brule Reservation	415	Apr. 21, 1906	34 Stat., 124.
Interest on proceeds of Lower Brule Reservation	512	June 13, 1930	46 Stat., 584.
Proceeds of labor, Lower Brule	36	Mar. 3, 1883 / Mar. 2, 1887	22 Stat., 590. / 24 Stat., 463.
Interest on proceeds of labor, Lower Brule	13	May 17, 1926 / June 13, 1930	44 Stat., 560. / 46 Stat., 584.
Total	8,310		
Pine Ridge Agency:			
Proceeds of labor, Pine Ridge	1,086	do	Do.
Interest on proceeds of labor, Pine Ridge	301	do	Do.
Pine Ridge Reservation 3-percent fund	18,694	May 27, 1910	36 Stat., 442.
Interest on Pine Ridge Reservation 3-percent fund	479	do	Do.
Sioux fund, Pine Ridge	37,020	Mar. 2, 1889	25 Stat., 895.
Interest on Sioux fund, Pine Ridge	10,577	do	Do.
Total	68,157		
Rosebud Agency:			
Rosebud Reservation 3-percent fund, act Mar. 2, 1907	378	Mar. 2, 1907	34 Stat., 1230.
Interest on Rosebud Reservation 3-percent fund, act Mar. 2, 1907	125	do	Do.
Rosebud Reservation 3-percent fund, act May 30, 1910	162	May 30, 1910	36 Stat., 451.
Interest on Rosebud Reservation 3-percent fund, act May 30, 1910	142	do	Do.
Proceeds of Rosebud Reservation	3,677	Apr. 23, 1904	33 Stat., 258.
Interest on proceeds of Rosebud Reservation	3,039	June 13, 1930	46 Stat., 584.
Sioux fund, Rosebud	69,310	Mar. 2, 1889	25 Stat., 895.
Interest on Sioux fund, Rosebud	22,553	do	Do.
Proceeds of Rosebud Reservation, S. Dak., act Mar 2, 1907	305	Mar. 2, 1907	34 Stat., 1230.
Interest on proceeds of Rosebud Reservation, S. Dak., act Mar. 2, 1907	31	June 13, 1930	46 Stat., 584.
Proceeds of labor, Rosebud	70	Mar. 3, 1883 / Mar. 2, 1887	22 Stat., 590. / 24 Stat., 463.
Interest on proceeds of labor, Rosebud	277	May 17, 1926 / June 13, 1930	44 Stat., 560. / 46 Stat., 584.
Total	100,069		
Yankton Sioux fund	164	Aug. 15, 1894	28 Stat., 319.
Interest on Yankton Sioux fund	315	do	Do.
Judgment, Court of Claims, Yankton Sioux	499	Mar. 4, 1929	45 Stat., 1615.
Interest on judgment, Court of Claims, Yankton Sioux	2,041	June 13, 1930	46 Stat., 584.
Proceeds of labor, Yankton	1,704	Mar. 3, 1883 / Mar. 2, 1887	22 Stat., 590. / 24 Stat., 463.
Interest on proceeds of labor, Yankton	590	May 17, 1926 / June 13, 1930	44 Stat., 560. / 46 Stat., 584.
Total	5,313		
Flandreau School:			
Proceeds of lands, Flandreau Sioux Indians	300	Mar. 4, 1923	42 Stat., 1796.
Sioux fund, Flandreau	489	Mar. 2, 1889	25 Stat., 895.
Interest on Sioux fund, Flandreau	803	do	Do.
Total	1,592		
Sisseton Agency:			
Sisseton and Wahpeton fund	5,255	Mar. 3, 1891	26 Stat., 1039.
Interest on Sisseton and Wahpeton fund	2,991	do	Do.
Total	8,246		
UTAH			
Paiute Agency:			
Proceeds of labor, Paiute Indians of Paiute Agency	2,162	Mar. 3, 1883 / Mar. 2, 1887	22 Stat., 590. / 24 Stat., 463.
Interest on proceeds of labor, Paiute Indians of Paiute Agency	642	May 17, 1926 / June 13, 1930	44 Stat., 560. / 46 Stat., 584.
Total	2,804		
Interest on proceeds of labor, Goshute, total	87	do	Do.
Proceeds of labor, Kaibab	11,776	do	Do.
Interest on proceeds of labor, Kaibab	2,274	do	Do.
Total	14,050		
Proceeds of labor, Shivwits	1,056	do	Do.
Interest on proceeds of labor, Shivwits	196	do	Do.
Total	1,252		
Proceeds of labor, Skull Valley	7,696	do	Do.
Interest on proceeds of labor, Skull Valley	926	do	Do.
Total	8,622		

Statement of fiscal affairs of Indian tribes for the fiscal year ending June 30, 1939—Continued

Units, tribes and titles of trust and treaty funds	Balance to the credit of each tribe June 30, 1939	How and when created	
		Acts	Statutes
UTAH—continued			
Uintah and Ouray Agency:			
Proceeds of labor, Uintah and Ouray	$24,015	June 13, 1930	46 Stat., 584.
Interest on proceeds of labor, Uintah and Ouray	2,082	do	Do.
Ute 5-percent fund, Uintah, etc	71,427	Apr. 29, 1874	18 Stat., 41.
Interest on Ute 5-percent fund, Uintah, etc	5,934	do	Do.
Confederated Bands of Utes 4-percent fund, Uintah, etc	69,492	Mar. 4, 1913	37 Stat., 934.
Interest on Confederated Bands of Utes 4-percent fund, Uintah, etc	5,262	do	Do.
Proceeds of Uintah and White River Ute land	7,357	May 27, 1902 Mar. 3, 1905	32 Stat., 263. 33 Stat., 1069.
Interest on proceeds of Uintah and White River Ute land	350	June 13, 1930	46 Stat., 584.
Uintah and White River Ute Band fund	1,203	May 24, 1888	25 Stat., 157.
Interest on Uintah and White River Ute Band fund	2,734	do	Do.
Uintah, White River, and Uncompahgre Ute 4-percent fund	11,914	Feb. 13, 1931	46 Stat., 1092.
Interest on Uintah, White River, and Uncompahgre Ute 4-percent fund	32,360	Mar. 4, 1931	46 Stat., 1566.
Total	234,130		
UTAH AND COLORADO			
Utes:			
Proceeds of mineral leases, Ute Indian lands	9,751	June 30, 1919	41 Stat., 333.
Interest on proceeds of mineral leases, Ute Indian lands	3,856	June 13, 1930	46 Stat., 584.
Total	13,607		
WASHINGTON			
Colville Agency:			
Fulfilling treaties with Columbias and Colvilles	2,850	July 4, 1884	23 Stat., 79.
Payments to Indians of Colville Reservation, Wash., for lands	14,237	June 12, 1906	34 Stat., 377.
Interest on proceeds of payments to Indians of Colville Reservation, Wash., for lands	4,565	June 13, 1930	46 Stat., 584.
Proceeds of lands, Colville	1,051	Apr. 12, 1924	43 Stat., 93.
Interest on proceeds of lands, Colville	415	June 13, 1930	46 Stat., 584.
Proceeds of Colville Reservation	44	July 1, 1892	27 Stat., 63.
Proceeds of Colville Reservation	9,886	Mar. 22, 1906	34 Stat., 80.
Interest on proceeds of Colville Reservation	1,583	June 13, 1930	46 Stat., 584.
Proceeds of labor, Colville	356,448	Mar. 3, 1883 Mar. 2, 1887	22 Stat., 590. 24 Stat., 463.
Interest on proceeds of labor, Colville	18,559	May 17, 1926 June 13, 1930	44 Stat., 560. 46 Stat., 584.
Total	409,638		
Proceeds of labor, Spokane	84,251	do	Do.
Interest on proceeds of labor, Spokane	3,748	do	Do.
Proceeds of Spokane Reservation	2,940	May 29, 1908	35 Stat., 458.
Interest on proceeds of Spokane Reservation	1,193	June 13, 1930	46 Stat., 584.
Proceeds of townsites, Spokane Reservation	1,027	June 21, 1906	34 Stat., 377.
Interest on proceeds of townsites, Spokane Reservation	406	June 13, 1930	46 Stat., 584.
Fulfilling treaties with Spokanes	236	July 13, 1892	27 Stat., 139.
Total	93,801		
Taholah Agency:			
Proceeds of Quinaielt Reservation	581	Aug. 22, 1914	38 Stat., 704.
Interest on proceeds of Quinaielt Reservation	230	June 13, 1930	46 Stat., 584.
Proceeds of labor, Quinaielt	8,882	Mar. 3, 1883 Mar. 2, 1887	22 Stat., 590. 24 Stat., 463.
Interest on proceeds of labor, Quinaielt	3,471	May 17, 1926 June 13, 1930	44 Stat., 560. 46 Stat., 584.
Total	13,164		
Proceeds of labor, Makah	161,253	do	Do.
Interest on proceeds of labor, Makah	13,252	do	Do.
Total	174,505		
Proceeds of labor, Quileute	1,383	do	Do.
Interest on proceeds of labor, Quileute	530	do	Do.
Total	1,913		
Interest on proceeds of labor, Ozette, total	72	do	Do.
Proceeds of labor, Hoh, total	479	do	Do.
Proceeds of labor, Indians of Shoalwater Reservation, total	15,150	do	Do.
Tulalip Agency:			
Proceeds of labor, Tulalip	7,705	do	Do.
Interest on proceeds of labor, Tulalip	189	do	Do.
Total	7,894		
Proceeds of labor, Lummi	900	do	Do.
Interest on proceeds of labor, Lummi	273	do	Do.
Total	1,173		
Proceeds of labor, Port Madison, total	86	do	Do.

Statement of fiscal affairs of Indian tribes for the fiscal year ending June 30, 1939—Continued

Units, tribes and titles of trust and treaty funds	Balance to the credit of each tribe June 30, 1939	How and when created	
		Acts	Statutes
WASHINGTON—continued			
Tulalip Agency—Continued.			
Puyallup Indian cemetery, Tacoma, Wash., 4-percent fund	$25,000	Mar. 28, 1928	45 Stat., 378.
Interest on Puyallup Indian cemetery, Tacoma, Wash., 4-percent fund	1,302	June 13, 1930	56 Stat., 584.
Proceeds of labor, Puyallup	25,999	Mar. 3, 1883 Mar. 2, 1887	22 Stat., 590. 24 Stat., 463.
Interest on proceeds of labor, Puyallup	1,493	May 17, 1926 June 13, 1930	44 Stat., 560. 46 Stat., 584.
Total	53,794		
Proceeds of labor, Swinomish	923	Mar. 3, 1883 Mar. 2, 1887	22 Stat., 590. 24 Stat., 463.
Interest on proceeds of labor, Swinomish	143	May 17, 1926 June 13, 1930	44 Stat., 560. 46 Stat., 584.
Total	1,066		
Yakima Agency:			
Proceeds of labor, Yakima	183,934	do	Do.
Interest on proceeds of labor, Yakima	23,687	do	Do.
Total	207,621		
WISCONSIN			
L'Anse and Vieux de Sert Chippewa fund	339	Apr. 1, 1880	21 Stat., 70.
Interest on L'Anse and Vieux de Sert Chippewa fund	723	do	Do.
Total	1,062		
Great Lakes Agency:			
Proceeds of land, Lac du Flambeau Reservation	998	Mar. 4, 1925	43 Stat., 1597.
Interest on proceeds of land, Lac du Flambeau Reservation	3,189	June 13, 1930	46 Stat., 584.
Proceeds of labor, Lac du Flambeau	5,640	Mar. 3, 1883	22 Stat., 590.
Interest on proceeds of labor, Lac du Flambeau	2,856	Mar. 2, 1887	24 Stat., 463.
Proceeds of labor, Lac du Flambeau (swamp land receipts)	119,450	May 17, 1926	44 Stat., 560.
Interest on proceeds of labor, Lac du Flambeau (swamp land receipts)	40,614	June 13, 1930	46 Stat., 584.
Total	172,747		
Proceeds of labor, Bad River	1,650	do	Do.
Interest on proceeds of labor, Bad River	1,353	do	Do.
Total	3,003		
Proceeds of labor, Lac Courte Oreille	37,143	do	Do.
Interest on proceeds of labor, Lac Courte Oreille	10,371	do	Do.
Total	47,514		
Proceeds of labor, Mole Lake Bank of Chippewas, total	51	do	Do.
Proceeds of Labor, Potawatomi, total	131	do	Do.
Proceeds of labor, Ontonagan Indians, Michigan	1,442	do	Do.
Interest on proceeds of labor, Ontonagan Indians, Michigan	465	do	Do.
Total	1,907		
Keshena Agency:			
Menominee fund	35,194	Apr. 1, 1880	21 Stat., 70.
Interest on Menominee fund	13,432	do	Do.
Menominee 4-percent fund	306,780	Mar. 28, 1908	35 Stat., 51.
Interest on Menominee 4-percent fund	6,641	do	Do.
Menominee log fund	987,950	June 12, 1890	26 Stat., 146.
Interest on Menominee log fund	28,161	do	Do.
Fulfilling treaties with Menominee logs	10,542	do	Do.
Interest on fulfilling treaties with Menominee logs	4,545	June 13, 1930	46 Stat., 584.
Proceeds of labor, Menominee	1,657	Mar. 3, 1883 Mar. 2, 1887	22 Stat., 590. 24 Stat., 463.
Interest on proceeds of labor, Menominee	451	May 17, 1926 June 13, 1930	44 Stat., 560. 46 Stat., 584.
Total	1,395,353		
Proceeds of labor, Oneida	9	do	Do.
Interest on proceeds of labor, Oneida	50	do	Do.
Total	59		
Tomah School:			
Fulfilling treaties with Winnebagos, Nebraska (Wisconsin Band)	3,603	Nov. 11, 1837	7 Stat., 554.
Winnebago fund	1,798	Mar. 3, 1909	35 Stat., 798.
Interest on Winnebago	1,881	July 1, 1912	37 Stat., 187.
Total	7,282		

Statement of fiscal affairs of Indian tribes for the fiscal year ending June 30, 1939—Continued

Units, tribes and titles of trust and treaty funds	Balance to the credit of each tribe June 30, 1939	How and when created	
		Acts	Statutes
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Judgment, Court of Claims, Ottawas and Chippewa Indians of Michigan	$2,061	Feb. 15, 1908	35 Stat., 27.
Interest on judgment, Court of Claims, Ottawas and Chippewa Indians of Michigan.	815	June 13, 1930	46 Stat., 584.
Total	2,876		
WYOMING			
Wind River Agency:			
Proceeds of Wind River Reservation	31,168	Mar. 3, 1905	33 Stat., 1021.
Interest on proceeds of Wind River Reservation	3,747	June 13, 1930	46 Stat., 584.
Proceeds of oil and gas Wind River Reservation	98,184	Aug. 21, 1916	39 Stat., 519.
Interest on proceeds of oil and gas Wind River Reservation	10,625	June 13, 1930	46 Stat., 584.
Proceeds of labor, Shoshone and Arapaho	24,302	Mar. 3, 1883 Mar. 2, 1887	22 Stat., 590. 24 Stat., 463.
Interest on proceeds of labor, Shoshone and Arapaho	2,741	May 17, 1926 June 13, 1930	44 Stat., 560. 46 Stat., 584.
Shoshone Indians, Wind River Reservation, Wyo., judgment fund (trust account).	4,191,133	Mar. 3, 1927	44 Stat., 1350.
Interest on Shoshone Indians, Wind River Reservation, Wyo., judgment fund (trust account).	86,436	----do----	Do.
Total	4,448,336		
Grand total	22,761,386		

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