

No contract to be made with Indians unless in writing, and approved by, &c.

Contracts not so made to be void, and person making may be prosecuted for misdemeanor.

SEC. 3. That hereafter no contract or agreement of any kind shall be made by any person, with any tribe of Indians, or individual Indian not a citizen of the United States, for the payment of any money or other thing of value to him, or any other person, in consideration of services for said Indians relative to their lands, or to any claims growing out of or in reference to annuities from or treaties with the United States, unless such contract or agreement be in writing and approved by the commissioner of Indian affairs and the Secretary of the Interior; and all such contracts or agreements hereafter made, in violation of the provisions of this section, are hereby declared null and void, and all money or other thing of value paid to any person by any Indian or tribe, or any one else, for or on his or their behalf, on account of such services, in excess of the amount approved by the said commissioner and Secretary for such services, may be recovered by suit in the name of the United States in any court of the United States, regardless of the amount in controversy, one half of which shall be paid to the person suing for the same, and the other half shall be paid into the treasury of the United States, for the use of the Indian or tribe by or for whom it was so paid; and the person so receiving said money, and his aiders and abettors, shall, in addition to the forfeiture of said sum, be subject to prosecution for misdemeanor in any court of the United States, and on conviction shall be fined not less than one thousand dollars, and imprisoned not less than six months, and it shall be the duty of all district attorneys of the United

States to prosecute such cases when applied to to do so, and their failure and refusal shall be ground for their removal from office. And any Indian agent, or other person in the employment of the United States, who shall, in violation of the provisions of this section, advise, sanction, or in any way aid in the making of such contracts or agreements, or in making such payments as are here prohibited, shall, in addition to the punishment herein imposed on the person making said contract, or receiving said money, be, on conviction, dismissed from the service of the United States, and be forever disqualified from holding any office of profit or trust under the same.

Indian agents making such contracts to be dismissed.

APPROVED, March 8, 1871.