

**CHAP. 3504.**—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 thirtieth, nineteen hundred and seven.

June 21, 1906.  
[H. R. 15331.]

[Public. No. 258.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and they are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of paying the current and contingent expenses of the Indian Department, for fulfilling treaty stipulations with various Indian tribes, and in full compensation for all offices the salaries for which are specially provided for herein for the service of the fiscal year ending June thirtieth, nineteen hundred and seven, namely:

Indian Department appropriations.

## I. GENERAL PROVISIONS.

General provisions.

### PRESIDENT.

Under the President.

To enable the President to cause, under the provisions of the Act of February eighth, eighteen hundred and eighty-seven, entitled "An Act to provide for the allotment of lands in severalty to Indians," such Indian reservations as in his judgment are advantageous for agricultural and grazing purposes to be surveyed or resurveyed, for the purposes of said Act, and to complete the allotment of the same, including the necessary clerical work incident thereto in the field and in the Office of Indian Affairs, and delivery of trust patents, so far as allotments shall have been selected under said Act, twenty-five thousand dollars.

Allotments in severalty.  
Vol. 24, p. 388.

Rations to mission schools.	Mission schools on an Indian reservation may, under rules and regulations prescribed by the Commissioner of Indian Affairs, receive for such Indian children duly enrolled therein, the rations of food and clothing to which said children would be entitled under treaty stipulations if such children were living with their parents.
Continuing alienation restrictions.	That prior to the expiration of the trust period of any Indian allottee to whom a trust or other patent containing restrictions upon alienation has been or shall be issued under any law or treaty the President may in his discretion continue such restrictions on alienation for such period as he may deem best: <i>Provided, however,</i> That this shall not apply to lands in the Indian Territory.
<i>Proviso.</i> Indian Territory excepted.	
Under the Secretary	SECRETARY.
Purchase of supplies to be advertised.	That no purchase of supplies for which appropriations are herein made, exceeding in the aggregate five hundred dollars in value at any one time, shall be made without first giving at least three weeks' public notice by advertisement, except in case of exigency, when, in the discretion of the Secretary of the Interior, who shall make official record of the facts constituting the exigency, and shall report the same to Congress at its next session, he may direct that purchases may be made in open market in amount not exceeding three thousand dollars at any one purchase: <i>Provided,</i> That supplies may be purchased, contracts let, and labor employed for the construction of artesian wells, ditches, and other works for irrigation, in the discretion of the Secretary of the Interior, without advertising as hereinbefore provided: <i>Provided further,</i> That as far as practicable Indian labor shall be employed and purchases in the open market made from Indians, under the direction of the Secretary of the Interior.
Exception.	
<i>Provisos.</i> Irrigation.	
Open-market purchases, etc.	
Use of surplus for subsistence deficiencies.	That the Secretary of the Interior, under the direction of the President, may use any surplus that may remain in any of the appropriations herein made for the purchase of subsistence for the several Indian tribes, to an amount not exceeding twenty-five thousand dollars in the aggregate, to supply any subsistence deficiency that may occur: <i>Provided,</i> That any diversions which shall be made under authority of this section shall be reported to Congress with the reason therefor in detail, at the session of Congress next succeeding such diversion: <i>Provided further,</i> That the Secretary of the Interior, under direction of the President, may use any sums appropriated in this Act for subsistence, and not absolutely necessary for that purpose, for the purchase of stock cattle for the benefit of the tribe for which such appropriation is made, and shall report to Congress, at its next session thereafter, an account of his action under this provision: <i>Provided further,</i> That funds appropriated to fulfill treaty obligations shall not be so used: <i>Provided further,</i> That in lieu of the milch cows, mares, and implements to be issued to Sioux allottees under the provisions of section seventeen of the "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 second, eighteen hundred and eighty-nine, the Secretary of the Interior may, in his discretion, issue to any allottee entitled to benefits under said section who shall petition therefor an equal value in good stock cattle.
<i>Provisos.</i> Report of diversions.	
Stock cattle from subsistence funds.	
Treaty funds.	
Stock cattle to Sioux.	
Vol. 25, p. 895.	
Extension of time to settlers in Minnesota.	That the homestead settlers on all ceded Indian reservations in Minnesota who purchased the lands occupied by them as homesteads be, and they hereby are, granted an extension of one year's time in which to make the payments now provided by law.
Transfer of funds for employees, etc.	That when not required for the purpose for which appropriated, the funds herein provided for the pay of specified employees at any agency may be used by the Secretary of the Interior for the pay of other

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

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

That the Act entitled "An Act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes," approved February eighth, eighteen hundred and eighty-seven, be, and is hereby, amended by adding the following:

No lands acquired under the provisions of this Act shall, in any event, become liable to the satisfaction of any debt contracted prior to the issuing of the final patent in fee therefor.

That no money accruing from any lease or sale of lands held in trust by the United States for any Indian shall become liable for the payment of any debt of, or claim against, such Indian contracted or arising during such trust period, or, in case of a minor, during his minority, except with the approval and consent of the Secretary of the Interior.

That the shares of money due minor Indians as their proportion of the proceeds from the sale of ceded or tribal Indian lands, whenever such shares have been, or shall hereafter be, withheld from their parents, legal guardians, or others, and retained in the United States Treasury by direction of the Secretary of the Interior, shall draw interest at the rate of three per centum per annum, unless otherwise provided for, from the period when such proceeds have been or shall be distributed per capita among the members of the tribe of which such minor is a member; and the Secretary of the Treasury is hereby authorized and directed to allow interest on such unpaid amounts belonging to said minors as shall be certified by the Secretary of the Interior as entitled to draw interest under this Act.

That any Indian allotted lands under any law or treaty without the power of alienation, and within a reclamation project approved by the Secretary of the Interior, may sell and convey any part thereof, under rules and regulations prescribed by the Secretary of the Interior, but such conveyance shall be subject to his approval, and when so approved shall convey full title to the purchaser the same as if final patent without restrictions had been issued to the allottee: *Provided*, That the consideration shall be placed in the Treasury of the United States, and used by the Commissioner of Indian Affairs to pay the construc-

Rejection of bids.

Open-market purchases.

*Proviso.*  
Amount for supplies immediately available.

Allotments in severalty.  
Vol. 24, p. 388.

Lands not liable for prior debts.

Trust funds.

Interest on funds held for minors.

Sales within reclamation projects.

*Proviso.*  
Proceeds.

tion charges that may be assessed against the unsold part of the allotment, and to pay the maintenance charges thereon during the trust period, and any surplus shall be a benefit running with the water right to be paid to the holder thereof.

Commissioner.

COMMISSIONER.

Irrigation.

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

*Proviso.*  
Skilled engineers.

Surveying and allotting.

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

Tuberculosis sanitarium.  
Investigation, etc., for.

That the Commissioner of Indian Affairs, under the supervision of the Secretary of the Interior, is hereby authorized to investigate and report to Congress upon the desirability of establishing a sanitarium for the treatment of such Indians as are afflicted with tuberculosis, and to report upon a location and the cost thereof, and also upon the feasibility of utilizing some present Government institution therefor; said report to include, as far as possible, the extent of the prevalence of tuberculosis among Indians.

Indian Reform School.  
Designation to be made.

The Commissioner of Indian Affairs, under the direction of the Secretary of the Interior, is hereby authorized and directed to select and designate some one of the schools or other institution herein specifically provided for as an "Indian Reform School," and to make all needful rules and regulations for its conduct, and the placing of Indian youth therein: *Provided*, That the appropriation for collection and transportation, and so forth, of pupils, and the specific appropriation for such school so selected shall be available for its support and maintenance: *Provided further*, That the consent of parents, guardians, or next of kin shall not be required to place Indian youth in said school.

*Proviso.*  
Funds available.

Consent of parents, etc., not necessary.

Annual report modified.  
Vol. 19, p. 199.

That so much of the section three of the Act of August fifteenth, eighteen hundred and seventy-six, as required the Commissioner of Indian Affairs to embody in his annual report a detailed and tabular statement of all bids and proposals received for any services, supplies, and annuity goods for the Indian service, together with a detailed statement of all awards of contracts made for any such services, supplies, and annuity goods for which said bids or proposals were received, is hereby repealed, and hereafter he shall embody in his annual report only a detailed statement of the awards of contracts made for any services, supplies, and annuity goods for the Indian service; and that so much of the Acts of March second, eighteen hundred and ninety-two, and April twenty-first, nineteen hundred and four, which require the Commissioner to report annually the names of all employees in the Indian service is hereby also repealed.

Detailed statement of contracts.

Reporting employees repealed.  
Vol. 27, p. 5.  
Vol. 33, p. 217.

Suppressing liquor traffic.

To enable the Commissioner of Indian Affairs, under the direction of the Secretary of the Interior, to take action to suppress the traffic of intoxicating liquors among Indians, twenty-five thousand dollars, fifteen thousand dollars of which to be used exclusively in the Indian Territory and Oklahoma.

For support of Indian day and industrial schools, and for other educational purposes not hereinafter provided for, one million three hundred thousand dollars;

Support of schools.

For construction, purchase, lease, and repair of school buildings, and sewerage, water supply, and lighting plants, and purchase of school sites, and improvement of buildings and grounds, four hundred and fifty thousand dollars;

Buildings, construction, etc.

In all, one million seven hundred and fifty thousand dollars.

For collection and transportation of pupils to and from Indian schools, and also for the transportation of Indian pupils from all the Indian schools and placing of them, with the consent of their parents, under the care and control of such suitable white families as may in all respects be qualified to give such pupils moral, industrial, and educational training, under arrangements in which their proper care, support, and education shall be in exchange for their labor, sixty thousand dollars: *Provided*, That not exceeding five thousand dollars of this amount may be used under direction of the Commissioner of Indian Affairs in the transportation and placing of Indian pupils in positions where remunerative employment can be found for them in industrial pursuits. The provisions of this section shall apply to native pupils brought from Alaska.

Transporting pupils.

*Proviso.*  
Positions for pupils.

Alaska natives.

That all expenditure of money appropriated for school purposes in this Act shall be at all times under the supervision and direction of the Commissioner of Indian Affairs, and in all respects in conformity with such conditions, rules, and regulations as to the conduct and methods of instruction and expenditure of money as may be from time to time prescribed by him, subject to the supervision and control of the Secretary of the Interior: *Provided*, That not more than one hundred and sixty-seven dollars shall be expended for the annual support and education of any one pupil in any school herein specifically provided for, except when, by reason of epidemic, accident, or other sufficient cause, the attendance is so reduced or cost of maintenance so high that a larger expenditure is absolutely necessary for the efficient operation of the school affected, when the Commissioner of Indian Affairs, with the approval of the Secretary of the Interior, may allow a larger per capita expenditure, such expenditure to continue only so long as the said necessity therefor shall exist: *Provided further*, That the total amount appropriated for the support of such school shall not be exceeded: *Provided further*, That the number of pupils in any school entitled to the per capita allowance hereby provided for shall be determined by taking the average enrollment for the entire fiscal year and not any fractional part thereof.

Supervision of expenditures.

*Provisos.*  
Limit per capita expense.

Total for school.

Determining per capita allowance.

MISCELLANEOUS.

Telegraphing, telephoning, and purchase of Indian supplies: To pay the expense of purchasing goods and supplies for the Indian service, including inspection and pay of necessary employees; advertising, at rates not exceeding regular commercial rates, and all other expenses connected therewith, and for telegraphing and telephoning, and for transportation of Indian goods and supplies, including pay and expenses of transportation agents and rent of warehouses, two hundred and ninety thousand dollars, and warehouses for the receipt, storage, and shipping of goods for the Indian service shall be maintained at the following places: New York, Chicago, Omaha, Saint Louis, and San Francisco.

Supplies.  
All expenses.

Warehouses.

For buildings and repairs of buildings at agencies and for rent of buildings for agency purposes, and for water supply at agencies, seventy-five thousand dollars.

Agency buildings.

Vaccination.	For pure vaccine matter and vaccination of Indians, five thousand dollars.
Printing in schools. R. S., sec. 3786, p. 744.	That the provisions of section thirty-seven hundred and eighty-six of the Revised Statutes of the United States shall not apply to such work of the Indian Department as can be executed at the several Indian schools.
Right of way through Indian lands. Vol. 30, p. 990, amended.	That section two of an Act of Congress entitled "An Act to provide for the acquiring of rights of way of railroad companies through Indian reservations, Indian lands, and Indian allotments, and for other purposes," approved March second, eighteen hundred and ninety-nine, be, and the same hereby is, amended so as to read as follows:
Width.	"SEC. 2. That such right of way shall not exceed fifty feet in width on each side of the center line of the road, except where there are heavy cuts and fills, when it shall not exceed one hundred feet in width on each side of the road, and may include grounds adjacent thereto for station buildings, depots, machine shops, side tracks, turn-outs, and water stations, not to exceed two hundred feet in width by a length of three thousand feet, and not more than one station to be located within any one continuous length of ten miles of road."
For stations, etc., increased.	

General officers and employees.

## II. GENERAL OFFICERS AND EMPLOYEES.

### BOARD OF INDIAN COMMISSIONERS.

Citizen commission. Vol. 16, p. 40.	For expenses of the commission of citizens, serving without compensation, appointed by the President under the provisions of the fourth section of the Act of April tenth, eighteen hundred and sixty-nine, four thousand dollars, of which amount not to exceed three hundred dollars may be used by the commission for office rent.
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### INSPECTORS.

Inspectors. Irrigation.	For pay of eight Indian inspectors, two of whom shall be engineers, one to be designated as chief, competent in the location, construction, and maintenance of irrigation works, at two thousand five hundred dollars per annum each, except the chief engineer, who shall receive three thousand five hundred dollars, twenty-one thousand dollars.
Expenses.	For traveling expenses of eight Indian inspectors, at three dollars per day when actually employed on duty in the field, exclusive of transportation and sleeping-car fare, in lieu of all other expenses now authorized by law, and for incidental expenses of negotiation, inspection, and investigation, including telegraphing and expenses of going to and going from the seat of government, and while remaining there under orders and direction of the Secretary of the Interior, for a period not to exceed twenty days, twelve thousand eight hundred dollars.

### SUPERINTENDENT OF INDIAN SCHOOLS.

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