

May 23, 1906.

BY THE PRESIDENT OF THE UNITED STATES.

A PROCLAMATION.

Crow Indian
Reservation, Mont.
Preamble.
Vol. 33, p. 352.

WHEREAS, By an agreement between the Indians of the Crow Indian Reservation in Montana, on the one part, and Benjamin F. Barge, James H. McNeely, and Charles G. Hoyt, Commissioners on behalf of the United States, on the other part, amended and ratified by Act of Congress approved April twenty-seven, nineteen hundred and four

(33 Stat., 352), said Indians ceded, granted, and relinquished to the United States all their right, title, and interest in and to the unallotted lands within the following boundaries, to wit:

Beginning at the northeast corner of the said Crow Indian Reservation; thence running due south to a point lying due east of the northeast corner of the Fort Custer military reservation; thence running due west to the northwest corner of said Fort Custer military reservation; thence due south to the southwest corner of said Fort Custer military reservation; thence due west to the intersection of the line between sections ten and eleven, township two south, range twenty-eight east of the Principal Meridian of Montana; thence due north to the intersection of the Montana base line; thence due west to the intersection of the western boundary of the Crow Indian Reservation; thence in a northeasterly direction following the present boundary of said reservation to the point of beginning;

Lands ceded.

AND, WHEREAS, Under the Act of Congress ratifying said agreement, among other things, it was provided:

That the unallotted lands, except such lands as may have been withdrawn for reclamation under the act of June seventeen, nineteen hundred and two (32 Stat., 388), and such tracts as may have been reserved for thirty days after the date of opening as subject to the preference right of entry of the purchasers of the improvements of the former Indian claimants thereon, and except sections sixteen and thirty-six, or lands selected in lieu thereof, which are reserved for common school purposes and are granted to the State of Montana for such purposes, shall be disposed of under the homestead, townsite, and mineral land laws of the United States, and shall be opened to settlement and entry by proclamation of the President, which proclamation shall prescribe the manner in which the lands may be settled upon, occupied, and entered by persons entitled to make entry thereof; and no person shall be permitted to settle upon, occupy, or enter any of said lands, except as prescribed in such proclamation, until after the expiration of sixty days from the time when the same are open to settlement and entry: *Provided*, That as to the lands opened under such proclamation, all rights of honorably discharged Union soldiers and sailors of the late Civil and the Spanish war, or the Philippine insurrection, as defined and described in sections twenty-three hundred and four and twenty-three hundred and five of the Revised Statutes, as amended by the act of March first, nineteen hundred and one (31 Stat., 847), shall not be abridged;

Lands to be sold subject to homestead, town-site etc., laws. Vol. 32, p. 388.

Proclamation opening lands to settlement.

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

Ceded lands open to settlement.

NOW, THEREFORE, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power vested in me by the said act of Congress, do hereby declare and make known that all of the unallotted lands in said reservation, except such as may at that time have been withdrawn for reclamation under said act of June seventeenth, nineteen hundred and two, and such lands as may have been reserved as subject to the preference right of entry of the purchasers of the improvements of the former Indian claimants thereon, and except sections sixteen and thirty-six, or lands selected in lieu thereof, which are reserved for common school purposes for the State of Montana, will, on and after the sixteenth day of July, nineteen hundred and six, in the manner hereinafter prescribed, and not otherwise, be opened to settlement, entry, and disposition under the general provisions of the homestead, townsite, and mineral land laws of the United States.

Open to entry July 16, 1906.

And it is further provided that, commencing at 9 o'clock a. m. on Thursday, June 14, 1906, and ending at 6 o'clock p. m., Thursday, June 28, 1906, a registration will be held at Miles City and Billings, State of Montana, and Sheridan, State of Wyoming, for the purpose of ascertaining what persons desire to enter, settle upon, and acquire title to any of said ceded lands under the homestead law, and of ascertaining their qualifications so to do. To obtain registration each

Registration.

R. S., sec. 2304,
D. 422.
Vol. 31, p. 847.

applicant will be required to show himself duly qualified to make homestead entry of these lands under existing laws, by written application to be made on a blank furnished only at the places herein designated for registration, by the Commissioner of the General Land Office, and to give the registering officers such appropriate matters of description and identity as will protect the applicant and the government against any attempted impersonation. Registration can not be effected through the use of the mails or the employment of an agent, except that honorably discharged soldiers and sailors entitled to the benefits of section twenty-three hundred and four of the Revised Statutes of the United States, as amended by the act of Congress approved March first, nineteen hundred and one (31 Stat., 847), may present their applications for registration and due proofs of their qualifications through an agent of their own selection, having a duly executed power of attorney on a blank furnished by the Commissioner of the General Land Office, but no person will be permitted to act as agent for more than one such soldier or sailor. No person will be permitted to register more than once or in any other than his true name.

Applicants.

Each applicant who shows himself duly qualified will be registered and given a nontransferable certificate to that effect, which will entitle him to go upon and examine the lands to be opened hereunder; but the only purpose for which he can go upon and examine said lands is that of enabling him later on, as herein provided, to understandingly select the lands for which he may make entry. No one will be permitted to make settlement upon any of said lands in advance of the opening herein provided for, and during the first sixty days following said opening no one but registered applicants will be permitted to make homestead settlement upon any of said lands, and then only in pursuance of a homestead entry duly allowed by the local land officers, or of a soldier's declaratory statement duly accepted by such officers.

Drawings.

The order in which during the first sixty days following the opening, the registered applicants will be permitted to make homestead entry of the lands opened hereunder, will be determined by a drawing for the district publicly held at Billings, Montana, commencing at 9 o'clock a. m., Monday, July 2, 1906, and continuing for such period as may be necessary to complete the same. The drawing will be had under the supervision and immediate observance of a committee of three persons whose integrity is such as to make their control of the drawing a guaranty of fairness. The members of this committee will be appointed by the Secretary of the Interior, who will prescribe suitable compensation for their services. Preparatory to this drawing the registration officers will, at the time of registering each applicant who shows himself duly qualified, make out a card, which must be signed by the applicant, and giving such a description of the applicant as will enable the local land officers to thereafter identify him. This card will be subsequently sealed in a separate envelope which will bear no other distinguishing label or mark than such as may be necessary to show that it is to go into the drawing. These envelopes will be carefully preserved and remain sealed until opened in the course of the drawing herein provided. When the registration is completed all of these sealed envelopes will be brought together at the place of the drawing and turned over to the committee in charge of the drawing, who, in such manner as in their judgment will be attended with entire fairness and equality of opportunity, shall proceed to draw out and open the separate envelopes and to give to each inclosed card a number in the order in which the envelope containing the same is drawn. The result of the drawing will be certified by the committee to the officers of the district and will determine the order in which the applicants may make homestead entry of said lands and settlement thereon.

Notice of the drawings, stating the name of each applicant and number assigned to him by the drawing, will be posted each day at the place of drawing, and each applicant will be notified of his number and of the day upon which he must make his entry by a postal card mailed to him at the address given by him at the time of registration. The result of each day's drawing will also be given to the press to be published as a matter of news. Applications for homestead entry of said lands during the first sixty days following the opening can be made only by registered applicants and in the order established by the drawing.

Notice of drawings.

Commencing on Monday, July 16, 1906, at 9 o'clock a. m., the applications of those drawing numbers 1 to 125, inclusive, must be presented at the land office in Billings, Montana, in the land district in which said lands are situated, and will be considered in their numerical order during the first day, and the applications of those drawing numbers 126 to 250, inclusive, must be presented and will be considered in their numerical order during the second day, and so on at that rate until all of said lands subject to entry under the homestead law, and desired thereunder, have been entered. If any applicant fails to appear and present his application for entry when the number assigned to him by the drawing is reached, his right to enter will be passed until after the other applications assigned for that day have been disposed of, when he will be given another opportunity to make entry, failing in which he will be deemed to have abandoned his right to make entry under such drawing.

How applications will be considered.

To obtain the allowance of a homestead entry, each applicant must personally present the certificate of registration theretofore issued to him, together with a regular application and the necessary accompanying proofs, together with the regular land office fees, but an honorably discharged soldier or sailor may file his declaratory statement through his agent, who can represent but one soldier or sailor as in the matter of registration.

Certificates of registration.

Persons who make homestead entry for any of the ceded lands will be required to pay four dollars per acre, payment in all cases to be made as follows: One dollar per acre at the time of entry, and the remainder to be paid in four equal, annual installments, the first installment to be paid at the end of the second year. Upon all entries the usual fee and commissions shall be paid, as provided for in the homestead laws on lands the price of which is one dollar and twenty-five cents per acre.

Payments.

In case any entryman fails to make the payments herein provided for, or any of them, promptly when due, all rights in and to the lands covered by his or her entry shall at once cease, and any payments theretofore made shall be forfeited, and the entry shall be held for cancellation and canceled, and the land embraced therein shall thereupon be subject to entry at the price and upon the terms above set forth. Lands entered under the town-site and mineral land laws shall be paid for in amount and manner as provided by said laws, but in no case at a less price than that fixed for such lands if entered under the homestead laws.

Forfeiture.

The production of the certificate of registration will be dispensed with only upon satisfactory proof of its loss or destruction. If at the time of considering his regular application for entry it appears that an applicant is disqualified from making homestead entry of these lands, his application will be rejected, notwithstanding his prior registration. If any applicant shall register more than once hereunder, or in any other than his true name, or shall transfer his registration certificate, he will thereby lose all the benefits of the registration and drawing herein provided for, and will be precluded from entering

Rejection of application.

or settling upon any of said lands during the first sixty days following said opening.

Town sites.

Any person or persons desiring to found, or to suggest establishing, a town site upon any of the said lands, at any point, may, at any time before the opening herein provided for, file in the land office a written application to that effect, describing by legal subdivisions the lands intended to be affected, and stating fully and under oath the necessity or propriety of founding or establishing a town at that place. The local officers will forthwith transmit said petition to the Commissioner of the General Land Office with their recommendation in the premises. Such Commissioner, if he believes the public interests will be subserved thereby, will, if the Secretary of the Interior approve thereof, issue an order withdrawing the lands described in such petition, or any portion thereof, from homestead entry, and settlement and directing that the same be held for the time being for disposal under the townsite laws of the United States in such manner as the Secretary of the Interior may from time to time direct; and, if at any time after such withdrawal has been made it is determined that the lands so withdrawn are not needed for town site purposes they may be released from such withdrawal and then disposed of under the general provisions of the homestead laws in the manner prescribed herein.

Disposal of remaining lands. re-

All persons are especially admonished that under the said act of Congress approved March 3, 1905, it is provided that no person shall be permitted to settle upon, occupy, or enter any of said lands, except in the manner prescribed in this proclamation, until after the expiration of sixty days from the time when the same are opened to settlement and entry, and the lands are not subject to mineral exploration or location during that period. After the expiration of said period of sixty days, but not before, as hereinbefore prescribed, any of said lands which are non-mineral, remaining undisposed of, may be settled upon, occupied, and entered under the general provisions of the homestead and townsite laws of the United States in like manner as if the manner of effecting such settlement, occupancy, and entry had not been prescribed herein in obedience to law, and such of said lands as are mineral will then be subject to the provisions of the mining laws.

Regulations.

The Secretary of the Interior shall prescribe all needful rules and regulations necessary to carry into full effect the opening herein provided for.

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 24th day of May, in the year of our Lord one thousand nine hundred and
 [SEAL.] six, and of the Independence of the United States the one hundred and thirtieth.

THEODORE ROOSEVELT

By the President:

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Secretary of State.