

BY THE PRESIDENT OF THE UNITED STATES.

April 6, 1917.

A PROCLAMATION.

WHEREAS the Act of Congress approved April 27, 1904 (33 Stat., 352), providing for the disposal of lands within a specified part of the Crow Indian Reservation, Montana, among other things provides:

Crow Indian Reservation, Mont.
Preamble.
Vol. 33, p. 361.

That when, in the judgment of the President, no more of the land herein ceded can be disposed of at said price, he may by proclamation, to be repeated at his discretion, sell from time to time the remaining land subject to the provisions of the homestead law or otherwise as he may deem most advantageous, at such price or prices, in such manner, upon such conditions, with such restrictions, and upon such terms as he may deem best for all the interests concerned;

AND WHEREAS Proclamation of September 28, 1914 (38 Stat., 2029), provided a special method for the disposal of the unsold, unentered, non-mineral, unreserved lands affected by said act and not withdrawn under the Reclamation Act, but did not provide for the disposition of coal lands thereunder;

Vol. 38, p. 2029.
Vol. 39, p. 1734.

AND WHEREAS a number of special entries and purchases have been allowed for coal lands within the reservation as if authorized under said proclamation, although the lands were not then subject to such disposition;

AND WHEREAS under the provisions of the Act of Congress approved February 27, 1917 (Public No. 358), surplus coal lands within said reservation may be disposed of in like manner as the non-mineral lands, the coal deposits to be reserved to the United States;

Vol. 39, p. 944.

Now, therefore, I, WOODROW WILSON, President of the United States of America, by virtue of the power and authority vested in me by the aforesaid Acts of Congress, do hereby prescribe, proclaim and make known that the entries or purchases heretofore made for coal lands in said reservation as under the aforesaid proclamation of September 28, 1914, upon compliance with the requirements thereof may be perfected by the respective entrymen, subject to the provisions of the said Act of February 27, 1917, the price of the land to be \$3.00 per acre, if entered or purchased prior to September 15, 1915, and \$2.00 per acre, if entered or purchased thereafter.

Prior entries on ceded coal lands may be perfected.

Vol. 38, p. 2029.

Vol. 39, p. 944.

The said coal lands, if otherwise available, shall be subject to disposal under the aforesaid proclamation of September 28, 1914, at \$2.00 per acre, until and including June 30, 1917, subject to the provisions of the said act of February 27, 1917. No entry shall be allowed after that date under said proclamation for either the coal or the noncoal lands.

Disposal of coal lands until June 30, 1917.

No subsequent entries allowed.

In the event that any existing agricultural entry on the reservation, made with a reservation of the coal deposits, is canceled on or before June 30, 1917, the land may, if otherwise available, until and including that date, but not thereafter, be entered or purchased hereunder at the price fixed by the first entry.

Entry of canceled agricultural entries.

All lands within the reservation affected by the aforesaid Act of April 27, 1904, to which there are no valid, existing rights and which are not reserved or withdrawn under the Reclamation Act or otherwise, at the date of sale, shall be offered for sale under the supervision of the Superintendent of opening and sale of Indian reservations, at not less than \$2.00 per acre, at Billings, Montana, commencing September 4, 1917; Provided: That lands classified or withdrawn as coal lands shall be sold with a reservation of the coal deposits, in conformity with the Act of February 27, 1917, above cited. After the lands shall have been offered for sale at the minimum price herein above prescribed, the Superintendent may, in his discretion, fix any other minimum therefor, not less than \$1.00 per acre.

Sale of undisposed of lands.

Reservation of coal deposits.

- Offerings to bidders. The lands shall be listed for sale in tracts embracing the north and south half of sections unless parts of such subdivisions are not subject to sale, in which event all contiguous lands subject to disposition in such half sections shall be listed for sale as separate tracts. Offerings may be made in smaller parcels if deemed advisable in the judgment of the Superintendent.
- Conditions of bids. Bids may be made in person or by agent, but will not be received through the mail, and purchasers will not be required to show qualifications as to age, citizenship or otherwise, or to furnish proof as to the character or condition of the lands.
- Payments. One-fifth of the purchase price of the land must be paid to the Receiver of the Billings, Montana, land office before 4:30 o'clock p. m., on the next business day following the date of sale. Any purchaser who fails to make such payment will forfeit all rights to the land purchased, which will be reoffered for sale, and the defaulting purchaser will not thereafter be permitted to bid for or purchase any other lands at the sale.
- Resale on nonpayments. The balance of the purchase money may be paid in four equal, annual installments in one, two, three and four years after the date of sale. If any purchaser fails to make such payment when it becomes due, all rights under his purchase and all moneys theretofore paid thereunder will be forfeited.
- Payment of balance. The Superintendent is hereby authorized to prescribe such rules therefor, not in conflict herewith, as the exigencies may require, and he may at any time suspend or indefinitely postpone the sale or adjourn it to such time or place as he may deem advisable, and he may reject any or all bids which in his opinion are less than the actual cash value at which any of the lands offered should be sold.
- Rules, etc. All persons are warned against entering into any agreement, combination or conspiracy which will prevent any of said lands from selling advantageously, and all persons so offending will be prosecuted criminally under section 59 of the Criminal Code, which reads:
- Warning against conspiracies. "Whoever, before or at the time of the public sale of any of the lands of the United States, shall bargain, contract, or agree, or attempt to bargain, contract, or agree with any other person, that the last-named person shall not bid upon or purchase the land so offered for sale, or any parcel thereof; or whoever by intimidation, combination, or unfair management shall hinder or prevent, or attempt to hinder or prevent, any person from bidding upon or purchasing any tract of land so offered for sale, shall be fined not more than one thousand dollars, or imprisoned not more than two years, or both."
- Punishment for hindering, etc., land sales. Vol. 35, p. 1099.

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 sixth day of April, in the year of our Lord Nineteen Hundred and Seventeen and of the Independence of the United States, the One Hundred and Forty-first.

WOODROW WILSON

By the President:
ROBERT LANSING
Secretary of State.

April 6, 1917.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

German insurance companies.
Preamble.
Post, p. 1684.

WHEREAS, certain insurance companies, incorporated under the laws of the German Empire, have been admitted to transact the business of insurance in various States of the United States, by means of

separate United States Branches established pursuant to the laws of such States, and are now engaged in business under the supervision of the Insurance Departments thereof, with assets in the United States deposited with Insurance Departments or in the hands of resident trustees, citizens of the United States, for the protection of all policyholders in the United States;

AND WHEREAS, the interests of the citizens of the United States in the protection afforded by such insurance are of great magnitude, so that it is deemed to be important that the agencies of such companies in the United States be permitted to continue in business;

NOW, THEREFORE, I, Woodrow Wilson, President of the United States of America, by virtue of the powers vested in me as such, hereby declare and proclaim that such branch establishments of German Insurance Companies now engaged in the transaction of business in the United States pursuant to the laws of the several States are hereby authorized and permitted to continue the transaction of their business in accordance with the laws of such States in the same manner and to the same extent as though a state of war did not now exist; provided, however, that all funds of such establishments now in the possession of their managers or agents, or which shall hereafter come into their possession, shall be subject to such rules and regulations concerning the payment and disposition thereof as shall be prescribed by the insurance supervising officials of the State in which the principal office of such establishment in the United States is located, but in no event shall any funds belonging to or held for the benefit of such companies be transmitted outside of the United States nor be used as the basis for the establishment directly or indirectly of any credit within or outside of the United States to or for the benefit or use of the enemy or any of his allies without the permission of this Government.

Branch establishments in United States permitted to continue business.

Restrictions.

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 sixth day of April in the year of our Lord one thousand nine hundred and seventeen, [SEAL.] and of the Independence of the United States the one hundred and forty-first.

WOODROW WILSON

By the President:

ROBERT LANSING
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES.

April 7, 1917.

A PROCLAMATION.

WHEREAS, the Act of Congress approved March 3, 1917 (Pub. No. 386), provides:

Fort Berthold Indian Reservation, N. Dak. Preamble. Vol. 39, p. 1131.

That section three of the Act entitled "An Act to provide for the disposal of certain lands in the Fort Berthold Indian Reservation, North Dakota," approved August third, nineteen hundred and fourteen, be, and is hereby, so amended as to authorize the classification and appraisal of unallotted lands in sections sixteen and thirty-six, containing coal and for such reason reserved by the terms of section one, Act of June first, nineteen hundred and ten (Thirty-sixth Statutes at Large, page four hundred and fifty-five), pending provision for their disposal by Congress; said lands when so classified and appraised to be subject to disposal under the laws applicable to other reserved coal lands within said former reservation.

Vol. 36, p. 455; Vol. 38, p. 681.

Unallotted coal lands in ceded school section opened to homestead entry.

Reservation of coal deposits.

Registration of applications.
Soldiers' entries.
R. S., secs. 2304, 2305, 2307, p. 422.

Requirements.

Initial payments.

Disposition of applications.

Now, therefore, I, WOODROW WILSON, President of the United States of America, by virtue of the power and authority vested in me by the aforesaid Acts of Congress, do hereby prescribe, proclaim and make known that unallotted coal lands in Sections 16 and 36 in the former Fort Berthold Indian Reservation, North Dakota, reserved by the terms of Section 1 of the Act of June 1, 1910, above cited, and which under the provisions of the aforesaid Act of March 3, 1917, have been classified and appraised as agricultural lands of the first class, agricultural lands of the second class and grazing lands, shall be disposed of under the general provisions of the homestead laws and of the said Acts of Congress and be opened to settlement and entry and be settled upon, occupied and entered in the following manner and not otherwise: *Provided*, That patents issued for such lands shall contain a reservation to the United States of any coal that such lands may contain, to be held in trust for the Indians belonging to and having tribal rights on the Fort Berthold Indian Reservation, but any entryman shall have the right at any time before making final proof of his entry, or at the time of making such final proof, to a hearing for the purpose of disproving the classification as coal land of the land embraced in his entry, and if such land is shown not to be coal land a patent without reservation shall issue.

1. *Execution and Presentation of Applications.* Any person who is qualified to make entry under the general provisions of the homestead laws may swear to and present an application to make homestead entry of these lands on or after April 20, 1917, or any such person who is entitled to the benefits of Sections 2304, 2305 and 2307, of the Revised Statutes of the United States, may file a declaratory statement for these lands on or after said date. Each application to make homestead entry and each declaratory statement filed in person must be sworn to by the applicant before the Register or the Receiver of the United States land office at Minot, North Dakota, or before a United States Commissioner, or a judge or a clerk of a court of record residing in the county in which the land is situated, or before any such officer who resides outside the county and in the land district and is nearest or most accessible to the land. The agent's affidavit to each declaratory statement filed by agent must be sworn to by the agent before one of such officers on or after April 20, 1917, but the power of attorney appointing the agent may be sworn to by the declarant on or after the date hereof before any officer in the United States having a seal and authority to administer oaths. After applications have been so sworn to, they must be presented to the Register and Receiver of the Minot land office. Applicants may present the applications in person, by mail, or otherwise. No person shall be permitted to present more than one application in his own behalf.

2. *Purchase Money, Fees and Commissions.* One-fifth of the appraised price of the land applied for must be paid at the time of entry and a sum equal thereto must be tendered with all applications to make homestead entry. Such sum will also be required with declaratory statements presented on or before April 30, 1917, and when so tendered will be disposed of as hereinafter provided. In addition, each application to make homestead entry must be accompanied by a fee of \$5, if the area is less than 81 acres or \$10, if 81 acres or more, and commissions at the rate of \$1 for each 40-acre tract applied for; and each declaratory statement must be accompanied by a fee of \$2.

3. *Disposition of Applications.* All homestead applications and declaratory statements received by the Register and Receiver on or after April 20, 1917, and on or before April 30, 1917, will be treated as filed simultaneously, and where there is no conflict such applications and statements, if in proper form and accompanied by the

required payment, will be allowed. If such applications or statements conflict in whole or in part, the right of the respective applicants will be determined by a public drawing, to be conducted by or under the supervision of the Superintendent of Openings and Sales of Indian Reservations, at the Minot land office, beginning at 10 o'clock a. m., on May 3, 1917. The names of the persons who presented the conflicting applications and statements will be written on cards and these cards shall be placed in envelopes upon which there are no distinctive or identifying marks. These envelopes shall be thoroughly and impartially mixed, and, after being mixed, shall be drawn one at a time by some disinterested person. As the envelopes are drawn the cards shall be removed, numbered beginning with number one, and fastened to the applications of the proper persons, which shall be the order in which the applications and statements shall be acted upon and disposed of. If homestead application or declaratory statement cannot be allowed for any part of the land applied for, it shall be rejected. If it may be allowed for part of, but not for all, the land applied for, the applicant, or the declarant through his agent, shall be allowed thirty days from receipt of notice within which to notify the Register and Receiver what disposition to make thereof. During such time, he may request that the application or statement be allowed for the land not in conflict and rejected as to the land in conflict, or that it be rejected as to all the land applied for; or he may apply to have the application or statement amended to include other land which is subject to entry and to inclusion in his application or statement, provided he is the prior applicant. If it is determined by the drawing that a declaratory statement shall be acted upon and disposed of before a homestead application for the same land, the homestead applicant shall be allowed thirty days from receipt of notice within which to advise the Register and Receiver whether to allow or to reject the application. If an applicant, or a declarant or his agent, fails to notify the Register and Receiver within the time allowed what disposition to make of the application or statement, it will be rejected as to all the land applied for. Homestead applications and declaratory statements which are presented after April 30, 1917, will be received and noted in the order of their filing, and will be acted upon and disposed of in the usual manner after all such applications and statements presented on or before that date have been acted upon and disposed of.

Drawings if applications conflict.

Action on applications.

4. *Disposition of Moneys.* Moneys tendered with applications and statements presented on or before April 30, 1917, except fees for filing declaratory statements, will be deposited by the Receiver of the Minot land office to his official credit and properly accounted for. The fee for filing a declaratory statement must be paid even though the application is rejected, and such fee will be properly applied when the statement is filed. When a homestead application is allowed in whole or in part, the sums required as fees, commissions and purchase money will be properly applied, and any sum in excess of the required amount will be returned to the applicant. When a declaratory statement is allowed in whole or in part, the sum which will be required as purchase money if entry is made under the declaratory statement will be held until entry has been allowed under the statement or the time has expired within which entry may be made and any sum in excess of the required amount will be returned to the declarant. The moneys held will not be returned until the time has expired within which entry may be made under the statement but will be returned as soon as possible thereafter if entry is not made. Moneys tendered with applications and statements which are rejected in whole, except fees for filing declaratory statements, will be returned. If an applicant or declarant fails to secure all the land applied for and amends

Disposition of moneys.

his application or statement to embrace other lands, the moneys theretofore tendered will be applied on account of the required payment under the amended application. If it is not sufficient, the applicant or declarant will be required to pay the deficiency, and if it is more than sufficient, the excess will be returned. Moneys returned to applicants or declarants will be returned by the official check of the Receiver. Moneys tendered with applications or statements presented after April 30, 1917, will be deposited by the Receiver in the usual manner.

Applications limited to listed tracts.

5. *Listed tracts.* All entries must, as far as possible, embrace only lands listed and appraised as one tract, and no applicant will be permitted to omit any unentered part of a listed tract from his application and include therein, in lieu thereof, part of another or different listed tract; but where a listed tract embraces less than a quarter section, it and part of another and different listed tract may be embraced in the same entry. In cases where an applicant desires to enter less than a quarter section, he may apply for any legal subdivision, or subdivisions, of a listed tract, and where part of a listed tract has been entered the remaining part and part of another adjacent listed tract may be embraced in the same entry.

Payment of installments.

6. *Deferred Payments.* The purchase money not required at the time of entry may be paid in five equal, annual installments, unless commutation proof is made. These payments will become due at the end of two, three, four, five and six years after the date of entry. The time for the payment of any such installment may be extended for one year at a time, upon the payment of interest in advance at the rate of five per centum per annum; *Provided*, the last payment and all other payments must be made within seven years from the date of entry. If commutation proof is made, all the unpaid installments must be paid at that time. Where three-year proof is submitted, the entryman may make payment of the unpaid installments at that time or at any time before they become due and final certificate will issue, in the absence of objection, upon such payment being made.

Final payment.

Commutation.

Forfeiture for non-payment.

7. *Forfeitures.* 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 be canceled, and any and all payments theretofore made shall be forfeited.

Settlement in advance of entry.

8. *Settlement in Advance of Entry.* Claims may be initiated to these lands by settlement in advance of entry on and after June 1, 1917, and not before then.

Regulations.

9. *Rules and Regulations.* The Secretary of the Interior is hereby authorized to make and prescribe such rules and regulations as may be necessary to carry the provisions of this Proclamation into full force and effect.

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 seventh day of APRIL, in the year of our Lord Nineteen Hundred and Seventeen and of the Independence of the United States the One Hundred and Forty-first.

WOODROW WILSON

By the President:
ROBERT LANSING,
Secretary of State.