

agents, attorneys or other persons, unless the same have been made, as provided by law, and are yet in force and have been approved by the Department of the Interior, or have been made by and between citizens of the United States are hereby declared null and void, and in such cases the Secretary of the Interior shall cause all moneys herein appropriated to be paid directly to the said Indians and shall pay no portion of the same, to their said agents or attorneys. And in no event shall a sum exceeding ten per cent. be paid to any agent or attorney, and the balance, after deducting the said five hundred and three thousand two hundred dollars, to wit, the sum of one million six hundred and ninety-nine thousand eight hundred dollars, or so much thereof as may be necessary, to pay for lands by said agreement ceded, sold, relinquished, and conveyed at the rate of two dollars and fifty cents per acre, shall be placed in the Treasury of the United States, to the credit of said Sisseton and Wahpeton bands of Dakota or Sioux Indians (parties to said agreement), and the same, with interest thereof at five per centum per annum, shall be at all times subject to appropriation by Congress or to application by order of the President for the education and civilization of said bands of Indians or members thereof.

Maximum to attorneys.

Balance applied to education, etc., of Indians.

SEC. 28. That any religious society or other organization now occupying under proper authority any of the lands by said agreement ceded, sold, relinquished, and conveyed shall have the right for a period of two years from the date hereof, within which to purchase the lands so occupied not exceeding one hundred and sixty acres in any one tract at the price paid therefor by the United States under said agreement.

Lands for religious uses.

SEC. 29. That in order to further carry out the provisions of said agreement and of this act, the Secretary of the Interior is authorized and directed, as soon as practicable, to cause the additional allotment provided for in said agreement to be made in the manner and form as provided in an act entitled "An act to provide for the allotments of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and Territories over the Indians, and for other purposes," and as provided in any existing amendments of said act, approved February eighth, eighteen hundred and eighty-seven, and to pay the sums hereinbefore made immediately available, first to the parties to said agreement, or their proper representatives, and to appoint suitable officers for such purposes who shall furnish bonds usual in such cases, and whose compensation and expenses shall be paid out of said available funds as the Secretary of the Interior shall direct, and whose lawful acts, when approved by him, shall be final and conclusive.

Additional allotments.

Vol. 24, p. 388.

Allotment agents.

SEC. 30. That the lands by said agreement ceded, sold, relinquished, and conveyed to the United States shall immediately, upon the payment to the parties entitled thereto of their share of the funds made immediately available by this act, and upon the completion of the allotments as provided for in said agreement, be subject only to entry and settlement under the homestead and town-site laws of the United States, excepting the sixteenth and thirty-sixth sections of said lands, which shall be reserved for common school purposes, and be subject to the laws of the State wherein located: *Provided*, That patents shall not issue until the settler or entryman shall have paid to the United States the sum of two dollars and fifty cents per acre for the land taken up by such homesteader, and the title to the lands so entered shall remain in the United States until said money is duly paid by such entryman or his legal representatives, or his widow, who shall have the right to pay the money and complete the entry of her deceased husband in her own name, and shall receive a patent for the same.

Lands ceded, open only to homestead and town-site entry.

School lands.

Proviso.
Additional payment.

SEC. 31. The following agreement entered into by J. Clifford Richardson, Charles M. Dole, and Rockwell J. Flint, commissioners on

Agreement with Crow Indians, Montana, ratified.

the part of the United States, and Carl Lieder and others on behalf of the Crow Indians, on the eighth day of December, eighteen hundred and ninety, with the Crow tribe of Indians, in Montana, which said agreement is hereby accepted, ratified, and confirmed, and is now on file in the Department of the Interior and is in the words and figures as follows, to wit:

Agreement.

We, the undersigned, adult male Indians of the Crow tribe now residing on the Crow Indian Reservation, in the State of Montana, do, this eighth day of December A. D. eighteen hundred and ninety, hereby agree to dispose of and sell to the Government of the United States, for certain considerations hereinafter mentioned, all that portion of the Crow Indian Reservation, in the State of Montana, lying west and south of the following lines, to wit:

Lands sold.

Description.

Beginning in the mid-channel of the Yellowstone River, at a point which is the northwest corner of section Number thirty-six, township Number two north, of range twenty-seven east, of the principal meridian of Montana, thence running in a southwesterly direction, following the top of the natural divide between the waters flowing into the Yellowstone and Clarke's Fork Rivers upon the west and those flowing into Pryor Creek and West Pryor Creek on the east, to the base of West Pryor Mountain. Thence due south and up the north slope of said Prior Mountain on a true meridian line to a point fifteen miles due north from the established line between Montana and Wyoming; thence in a due easterly course on a parallel of latitude to a point where it intersects the mid-channel of the Big Horn River, thence following up the mid-channel of said river to a point where it crosses the Montana and Wyoming State line.

Consideration.

That in consideration of the cession of territory herein made by us as individual Indians and heads of families of the Crow tribe to the Government of the United States, the said Government of the United States, in addition to the annuities and sums for provisions and clothing stipulated and provided for in existing treaties and laws, hereby agrees to pay the sum of nine hundred and forty-six thousand dollars lawful money of the United States, in the manner hereinafter described:

Amount to be used for irrigation.

First. That of the above-named sum there is hereby appropriated and set apart two hundred thousand dollars to be expended under the direction of the Secretary of the Interior in the building of dams, canals, ditches, and laterals for the purposes of irrigation in the valleys of the Big Horn and the Little Big Horn Rivers and on Pryor Creek and such other streams as the Secretary of the Interior may deem proper: *Provided*, That not to exceed fifty thousand dollars shall be expended annually in performing this work: *And provided further*, That the superintendent in charge of said works shall, in the employment of laborers, be required to give preference to such Indians of the Crow tribe as are competent and willing to work at the average wages paid to common laborers for the same kind of work, and the labor so employed shall be paid in cash.

Proviso.

Annual expenditure.

Employment of Indians.

Irrigating fund.

That the sum of seventy-five thousand dollars is hereby appropriated and set apart as an irrigating fund, to be expended under the direction of the Secretary of the Interior for the maintenance and management of the system of irrigation provided for in this agreement.

Grist mills.

Third. That the sum of twenty-five thousand dollars, or so much thereof as may be necessary, is hereby appropriated and set apart, to be expended under the direction of the Secretary of the Interior, for the construction of three grist mills, to be located, one on Pryor Creek, one on the Big Horn, and one on the Little Big Horn River at such points as the Indian agent may deem convenient and practicable and at such times as the needs of the Indians may require.

Sub-depot.

Fourth. That the sum of twenty thousand dollars is hereby appropriated and set apart to be expended in the construction and

maintenance of a sub-Indian depot, to be located on Pryor Creek, provided that the Secretary of the Interior shall deem it advisable to establish such depot on the reservation; otherwise the amount herein appropriated shall, at the expiration of two years from the date of this agreement, be placed in the fund provided for by section nine (9) of this agreement.

Fifth. That the sum of five thousand dollars, or so much thereof as may be necessary, is hereby appropriated to be expended under the direction of the Secretary of the Interior in the building of schoolhouses at such points on the reservation and at such times as the Indians may require, and upon the recommendation of the Indian agent.

School houses.

Sixth. That the sum of ten thousand dollars is hereby appropriated and set aside as a fund to be expended under the direction of the Secretary of the Interior in repairing and improving the houses of the Indians now erected on the reservation, and to make them as far as possible warm and comfortable dwellings.

Repairing houses,
etc.

Seventh. That the sum of three thousand dollars, or so much thereof as may be necessary, is hereby appropriated for the construction and equipment of three blacksmith shops, to be located at such places upon the reservation, and to be built at such times as the Indian agent may recommend, subject to the approval of the Secretary of the Interior.

Blacksmith shops.

Eighth. That the sum of five hundred and fifty-two thousand dollars is hereby appropriated and set aside as an annuity fund, to be distributed as follows: Each Indian of the Crow tribe, male and female, shall receive an annual annuity of twelve dollars in cash for the period of twenty years from the date of this agreement. Said annuity to be paid semi-annually in accordance with such rules and regulations as the Secretary of the Interior may prescribe.

Annuity fund.

Distribution.

Ninth. That the sum of forty-six thousand dollars is hereby appropriated and set aside, to be expended by the Indian agent, under the direction of the Secretary of the Interior, in the purchase of cattle from time to time as may be deemed advisable; the cattle so purchased to form a herd to be held in common by the Crow tribe. All cattle sold from said herd shall be paid for in cash, and the net proceeds of such sale shall constitute a fund to be known as the Crow herd fund. When said fund shall exceed the sum of fifteen thousand dollars, it shall be the duty of the Indian agent, and he is hereby required, to apportion to each Indian entitled to the annual annuity provided for in section eighth the sum of five dollars, to be paid in cash under such rules and regulations as the Secretary of the Interior may prescribe.

Purchase of cattle.

Herd fund.

Tenth. That when each object for which a specific appropriation has been made in this agreement shall have been fully carried out and completed, then the balance remaining of such appropriation shall constitute a fund to be expended for the benefit of the Crow tribe in such manner as the Secretary of the Interior may determine.

Disposition of balances.

Eleventh. That all lands upon that portion of the reservation to be herein ceded which, prior to the date of this agreement, have been allotted in severalty to Indians of the Crow tribe shall be retained and enjoyed by them: *Provided, however,* That such Indians shall have the right at any time within three years to surrender his or her allotment, and select a new allotment within the retained reservation upon the same terms and conditions as were prescribed in selecting the first allotment.

Prior allotments confirmed.

Provisos.

New selections.

It is further provided, That every Indian who shall surrender an allotment within the time specified, that has improvements upon it, shall have like improvements made for him upon the new allotment, and for this purpose the sum of five thousand dollars, or so much of it as may be necessary, is hereby appropriated and set apart.

Improvements on allotments.

Allotments already
made, not impaired.
Vol. 15, p. 650.

Vol. 22, p. 42.

Survey.
Vol. 15, p. 650.

Ratification.

Boundary monu-
ments.

Expenses of chiefs'
visit to Washington.

Former provisions
continued.
Vol. 15, p. 649.
Vol. 22, p. 42.

Signatures.

Payment to Indians.

Survey of boundary
and selections.

Vol. 15, p. 650.

Vol. 22, p. 42.

Certificates.
Supra.

Twelfth. It is further provided, in accordance with provisions of Article VI of the treaty of May seventh, Anno Domini eighteen hundred and sixty-eight, that this cession of lands shall not be construed to deprive without his or her consent, any individual Indian of the Crow tribe of his or her right to any tract of land selected by him or her in conformity with said treaty, or as provided by the agreement approved by Congress April eleven, Anno Domini eighteen hundred and eighty-two; and it is further provided that in ratifying this agreement the Congress of the United States shall cause all such lands to be surveyed and certificates duly issued for the same to said Indians, as provided in the treaty of May seventh, eighteen hundred and sixty-eight, before said ceded portion of the reservation shall be opened for settlement.

Thirteenth. It is a condition of this agreement that it shall not be binding upon either party until ratified by the Congress of the United States, and when so ratified that said cession of lands so acquired by the United States shall not be opened for settlement until the boundary lines set forth and described in this agreement have been surveyed and definitely marked by suitable permanent monuments, erected every half mile, wherever practicable, along the entire length of said boundary line.

Fourteenth. That the sum of five thousand dollars, or so much thereof as may be necessary, is hereby appropriated and set apart to pay the expenses of twelve Crow chiefs and one interpreter to visit the President of the United States at Washington, to consult with him for the benefit of the Crow tribe, at such time as the President may determine, within one year from the date of this agreement.

Fifteenth. That all existing provisions of the treaty of May seventh Anno Domini eighteen hundred and sixty-eight, and the agreement approved by act of Congress dated April eleventh, eighteen hundred and eighty-two, shall continue in force.

Done at Crow Agency, Montana, this eighth day of December, A. D. eighteen hundred and ninety.

J. CLIFFORD RICHARDSON,
C. M. DOLE,
R. J. FLINT,

Commissioners to the Crow Indians.

Carl Lieder and others, for the said Indians.

SEC. 32. That for the purpose of carrying the provisions of the foregoing agreement into effect there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the said sum of nine hundred and forty-six thousand dollars, so agreed to be paid, to be expended for the purposes and in the manner provided in said agreement.

SEC. 33. That the sum of seven thousand five hundred dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the survey of the boundary line between the Crow Reservation and the lands ceded by said agreement, as stipulated in section fourteen thereof, and for the survey of lands selected by members of the Crow tribe of Indians under the provisions of article six of the treaty between the United States and the Crow Indians, concluded May seventh, eighteen hundred and sixty-eight, or under the provisions of the act approved April eleventh, eighteen hundred and eighty-two, entitled "An act to accept and ratify the agreement submitted by the Crow Indians of Montana for the sale of a portion of their reservation in said Territory, and for other purposes, and to make the necessary appropriations for carrying out the same." And certificates shall be issued for such selections under said article, as required by section twelve of the foregoing agreement.

SEC. 34. That whenever any of the lands acquired by the agreement with said Crow Indians hereby ratified and confirmed shall by operation of law or the proclamation of the President of the United States be open to settlement, they shall, except mineral lands, be disposed of to actual settlers only, under the provisions of the homestead laws, except section twenty-three hundred and one of the Revised Statutes, which shall not apply; *Provided, however*, That each settler, under and in accordance with the provisions of said homestead laws, shall, before receiving a patent for his homestead, pay to the United States for the land so taken by him, in addition to the fees provided by law, and within five years from the date of the first original entry the sum of one dollar and fifty cents for each acre thereof one half of which shall be paid within two years; and any person otherwise qualified who has attempted to, but for any cause failed to secure a title in fee to a homestead under existing law, or who made entry under what is known as the commuted provision of the homestead law, shall be qualified to make a homestead entry upon any of said lands in conformity with the provisions of this section. That any person who may be entitled to the privilege of selecting land in severalty under the provisions of article six of the treaty of May seventh, eighteen hundred and sixty-eight, with the Crow Indians, and which provisions were continued in force by the agreement with said Indians ratified and confirmed by the act of Congress, approved April eleventh, eighteen hundred and eighty-two, or any other act or treaty, shall have the right for a period of sixty days to make such selections in any part of the territory by said agreement ceded, and such locations are hereby confirmed: *Provided, further*, That all white persons who located upon said Crow Reservation by reason of an erroneous survey of the boundary and were afterwards allowed to file upon their location in the United States Land Office, shall have thirty days in which to renew their filings, and their locations are hereby confirmed, and that in all cases where claims were located under the mining laws of the United States, and such location was made prior to December first eighteen hundred and ninety, by a locator qualified therefor who believed that he or she was so locating on lands outside the Crow Indian Reservation, such locator shall be allowed thirty days within which to re-locate the said mining claims so theretofore located by them, within the limits of the ceded portion of said Crow Indian Reservation, and upon such re-location such proceedings shall be had as are conformable to law and in accordance with the provisions of this act.

Ceded lands open only to homestead entry.

R. S., sec. 2301, p. 421. Provisos.

Additional payment.

Selections in severalty to be made in 60 days.
Vol. 15, p. 650.
Vol. 22, p. 42.

Certain erroneous locations confirmed.

Mining claims.

Lands for religious uses.

SEC. 35. That whenever under and by reason of the provisions herein contained, ratifying and confirming agreements with any Indian tribe, the right is reserved to any religious society or organization to purchase lands the subject of such agreement, the price and time and terms of payment thereof may be fixed by the Secretary of the Interior, but not less than that at which the other lands subject to said agreement are sold for.

SEC. 36. That the school lands reserved in the Territory of Oklahoma by this and former acts of Congress, may be leased for a period not exceeding three years for the benefit of the school fund of said Territory by the governor thereof, under regulations to be prescribed by the Secretary of the Interior.

Lease of school lands in Oklahoma.

SEC. 37. That before any lands in Oklahoma are open to settlement it shall be the duty of the Secretary of the Interior to divide the same into counties which shall contain as near as possible not less than seven hundred square miles in each county. In establishing said county line the Secretary is hereby authorized to extend the lines of the counties already located so as to make the area of said counties equal, as near as may be, to the area of the counties provided for in this act. At the first election for county officers the people of each

Division of Oklahoma lands into counties.

Naming counties.

Proviso.

County seats reserved.

Sections 16 and 36 reserved for schools, etc.

Mineral lands.

county may vote for a name for each county, and the name which receives the greatest number of votes shall be the name of such county: *Provided further*, That as soon as the county lines are designated by the Secretary he shall reserve not to exceed one-half section of land in each county, to be located near the center of said county, for county seat purposes, to be entered under sections twenty-three hundred and eighty-seven and twenty-three hundred and eighty-eight of the Revised Statutes.

SEC. 38. No provision for settlement on or sale of the lands in the various agreements hereinbefore mentioned shall apply to sections sixteen and thirty-six thereon, which land in the States are hereby granted to the State in which they are situated, for the support of the common schools of such State under the limitations prescribed by law, and such sections in the Territories of the United States are reserved from occupancy, entry, or sale, under any land law of the United States; but this provision shall not apply to mineral land which may be disposed of under the laws applicable thereto.

Approved, March 3, 1891.