

FLATHEAD RESERVATION.

Flathead Reserva-
tion.
Town-site provi-
sions.
Vol. 33, p. 302,
amended.

That the Act of April twenty-third, nineteen hundred and four (Thirty-third Statutes at Large, page three hundred and two), entitled "An Act for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation, in the State of Montana, and the sale and disposal of all surplus lands after allotment," as amended by section nine of the Act of March third, nineteen hundred and five (Thirty-third Statutes at Large, page one thousand and forty-eight), be amended by adding the following sections:

Vol. 33, p. 1080.

Town sites author-
ized.

"SEC. 17. That the Secretary of the Interior is hereby authorized and directed to reserve and set aside for town-site purposes, and to survey, lay out, and plat into town lots, streets, alleys, and parks not less than forty acres of said land at or near each of the present settlements of Arlee, Dayton, Ravalli, Dixon, and Ronan, and not less than eighty acres at the present settlements of Saint Ignatius and Polson, and at such other places as the Secretary of the Interior may deem necessary or convenient for town sites, in such manner as will best subserve the present needs and the reasonable prospective growth of said settlements.

Surveys, etc.
R. S., 2381, p. 436.

Provisos.
Rights of occupants.

"Such town sites shall be surveyed, appraised, and disposed of as provided in section twenty-three hundred and eighty-one of the United States Revised Statutes: *Provided*, That any person who, at the date when the appraisers commence their work upon the land, shall be an actual resident upon any one such lot and the owner of substantial and permanent improvements thereon, and who shall maintain his or her residence and improvements on such lot to the date of his or her application to enter, shall be entitled to enter, at any time prior to the day fixed for the public sale and at the appraised value thereof, such lot and any one additional lot of which he or she may also be in possession and upon which he or she may have substantial and permanent improvements: *Provided further*, That before making entry of any such lot or lots the applicant shall make proof, to the satisfaction of the register and receiver of the land district in which the land lies, of such residence, possession, and ownership of improvements, under such regulations as to time, notice, manner, and character of proof as may be prescribed by the Commissioner of the General Land

Receiving proof, etc.

Office, with the approval of the Secretary of the Interior: *Provided further*, That in making their appraisal of the lots so surveyed, it shall be the duty of the appraisers to ascertain the names of the residents upon and occupants of any such lots, the character and extent of the improvements thereon, and the name of the reputed owner thereof, and to report their findings in connection with their report of appraisal, which report of findings shall be taken as prima facie evidence of the facts therein set out. All such lots not so entered prior to the day fixed for the public sale shall be offered at public outcry in their regular order, with the other unimproved and unoccupied lots. That no lot shall be sold for less than ten dollars: *And provided further*, That said lots, when surveyed, shall approximate fifty by one hundred and fifty feet in size.

Duties of appraisers.

Size of lots.

“SEC. 18. That the Secretary of the Interior is hereby authorized and directed to reserve and set aside one hundred and sixty acres of land at and surrounding the present hot springs, situated on said reservation near the settlement of Camas.

Camas Hot Springs reserved.

“That said hot springs and the said one hundred and sixty acres of land last mentioned shall be under the control and direction of the Secretary of the Interior, under such rules and regulations as he may prescribe, but any and all moneys that shall be derived from such use shall be for the benefit of the persons holding tribal relations with said tribes of Indians, the same to be disbursed as provided in section thirteen of this Act.

Control, etc.

“SEC. 19. That nothing in this Act shall be construed to deprive any of said Indians, or said persons or corporations to whom the use of land is granted by the Act, of the use of water appropriated and used by them for the necessary irrigation of their lands or for domestic use or any ditches, dams, flumes, reservoirs constructed and used by them in the appropriation and use of said water.

Water rights.

“SEC. 20. That there is hereby appropriated, for the survey, appraisement, and sale of said town sites, out of any money in the Treasury not otherwise appropriated, the sum of fifteen thousand dollars, or so much thereof as may be necessary, the same to be reimbursable out of the funds arising from the sale of said lands: *Provided*, That the persons employed or detailed under this appropriation shall be allowed therefrom while on duty a per diem in lieu of subsistence, at a rate to be fixed by the Secretary of the Interior, not exceeding three dollars per day each, and actual necessary expenses for transportation, including necessary sleeping-car fares.”

Appropriation for expenses.

Proviso.
Per diem, etc., to employees.