

SEC. 3. That the remainder of the grazing and timber lands included in the reservation as at present existing shall be surveyed into tracts of six hundred and forty acres each, and the boundary lines of the reserved lands shall be run and properly marked. Upon the completion of said surveys the said remainder of the grazing and timber lands shall be appraised in tracts of six hundred and forty acres each by a commission of three disinterested persons, to be appointed by the President, which commission shall also appraise all improvements placed upon said tracts before the third day of March, eighteen hundred and seventy-three, and determine the ownership thereof. The said appraisements shall be subject to approval by the Secretary of the Interior. The said lands when surveyed and appraised shall be sold at the proper land-office of the United States, by the register thereof, at public sale, after due notice, to the highest bidder, at a price not less than the appraised value, and not less than one dollar and a quarter per acre. Each purchaser at such sale shall pay the full purchase price at time of purchase. Any person or persons having appraised improvements upon any of said tracts shall have preference right to purchase the tract or tracts upon which said improvements are located at the appraised value thereof. Upon failure of any such person or persons to purchase a tract upon which his or their improvements are located, said tract and improvements shall be sold at not less than the appraised value, and an amount equal to the appraised value of the improvements shall be paid to the owner or owners of such improvements.

Survey, remainder of grazing and timber lands.

Appraisement by commission.

Sale of lands.

Persons owning improvements to have preference.

Payment for improvements.

SEC. 4. That the funds arising from the sale of said reservation lands, after paying the expenses of survey, appraisement, and sale, and re-imbursing the United States for payment of lands and improvements, as provided in section two of this act, shall be placed in the Treasury of the United States to the credit of said Indians, and the same shall draw such rate of interest as is now or may be hereafter provided by law, which income shall be annually expended for the benefit of said Indians, under the direction of the Secretary of the Interior: *Provided*, That an amount not exceeding one-tenth of the principal sum may be also expended for their benefit during any fiscal year, if deemed necessary by the Secretary of the Interior.

Proceeds of sale to be placed to credit of Indians.

Interest.

Proviso.

Use of principal.

SEC. 5. That the sum of twenty-five thousand dollars, or so much thereof as may be necessary, be, and the same hereby is, appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of the expenses of the survey, appraisement, and sale of said lands, and for the appraisement of lands, and improvements, and payment of the same.

Appropriation for expenses.

SEC. 6. That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Repeal.

Approved, October 1, 1890.

CHAP. 1272.—An act authorizing the Secretary of the Interior to ascertain damages resulting to any person who had settled upon the Crow Creek and Winnebago Reservations in South Dakota between February twenty-seventh, eighteen hundred and eighty-five, and April seventeenth, eighteen hundred and eighty-five.

October 1, 1890.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall designate a special agent of the Interior Department who shall, as soon as practicable, under the direction of the Secretary of the Interior, make inquiry and report to the Secretary of the Interior upon the claims for losses of all persons who in good faith, between the twenty-seventh day of February, eighteen hundred and eighty-five, and the seventeenth day of April, eighteen hundred and eighty-five, settled upon and made claims under the

Crow Creek and Winnebago Reservation, S. Dak. Special agent to examine, etc., claims of losses by settlers.

land laws of the United States to any of the lands in the Crow Creek and Winnebago Reservations, which by the proclamation of the President of February twenty seventh, eighteen hundred and eighty five, were declared to be opened for settlement. Said agent shall have power to cause witnesses to come before him at some point convenient to said reservation, and to administer oaths. He shall report what improvements were made by such persons, and the section or part of section with the township and range upon which said settler made his improvements, the value of the same, the losses sustained by reason of the revocation of the Executive order opening said lands to settlement, giving the particulars of any such losses, and all other facts connected therewith. Said agent shall be entitled to a compensation of ten dollars per day and expenses, and may employ a clerk. There is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of three thousand five hundred dollars, or so much thereof as may be necessary. The Secretary of the Interior shall transmit said report to Congress, with his recommendations thereon.

Approved, October 1, 1890.

October 1, 1890.

CHAP. 1273.—An act granting right of way to the Red Lake and Western Railway and Navigation Company across Red Lake Reservation, in Minnesota, and granting said company the right to take lands for terminal railroad and warehouse purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby granted to the Red Lake and Western Railway and Navigation Company, a corporation organized under the general laws of the State of Minnesota, of which Frank Ives has been duly elected president, a right of way for a track of said railway one hundred feet wide, from the westerly line of said reservation, in township one hundred and fifty-two, or one hundred and fifty-three, of ranges forty-two or forty-three in said State, in a northeasterly direction, to the Red Lake River, in said State, upon paying to the United States, for the use of the Red Lake band of Chippewa Indians, as soon as the said right of way is located, and the plats thereof approved by the Secretary of the Interior, such sum as the Secretary of the Interior may direct, not less than one dollar and twenty-five cents per acre for each and every acre which shall be used and occupied by said company in the location of their said railway.

SEC. 2. That for the purpose of aiding the said company to construct a railway to the navigable waters of said lake, or navigable waters connected therewith, there is hereby granted to the said Red Lake and Western Railway and Navigation Company the right to take and use one hundred and sixty acres of the lands in said reservation, to be by said company selected at some place or point on Red Lake River on the line of said railway in said State far enough up said river to admit of good and unimpeded navigation by water from said location to Red Lake Indian Agency, upon paying to the United States for the use of said Indians such sum as the Secretary of the Interior may direct, not less than the sum of one dollar and twenty-five cents per acre for each and every acre thereof, and also whatever amount may be fixed by the Secretary of the Interior for such right and for the damages arising to any individual Indian or Indians for actual improvements which he or they may have thereon: *Provided,* That no part of said lands shall be used, directly or indirectly, for town-site purposes, it being the intention hereof that said lands shall be held for general railway uses and purposes only, including stock-yards, warehouses, elevators, docks, and terminal and other facilities

Red Lake and Western Railway and Navigation Company may cross Red Lake Reservation, Minn.

Right of way.
Width.
Location.

Payment.

Lands on Red Lake.

Payment.

Damages.
Proviso.
To be used only for railroad, etc., purposes.