

of the United States, under the general incorporation laws of any Territory of the United States, shall be construed as having authorized and as authorizing the legislative assemblies of the Territories of the United States, by general incorporation acts, to permit persons to associate together as bodies corporate for purposes above named.

APPROVED, June 10, 1872.

CHAP. CDXXXV.—*An Act to reimburse the State of Nevada for Expenses incurred while a Territory in Purchase of a Prison and in Support of United States Courts.* June 10, 1872.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any funds in the treasury not otherwise appropriated, the sum of sixty thousand dollars, to be received in full payment of all claims against the United States for expenses incurred by said Territory of Nevada.

APPROVED, June 10, 1872.

Nevada to be reimbursed for expenses of courts and a prison, incurred while a territory.

CHAP. CDXXXVI.—*An Act for the Relief of certain Tribes of Indians in the northern Superintendency.* June 10, 1872.
See Post, p. 517.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That with the consent and concurrence of the Omaha tribe of Indians, expressed in open council in the usual manner, the Secretary of the Interior be, and hereby is, authorized to cause to be surveyed, if necessary, a portion of their reservation in the State of Nebraska, not exceeding fifty thousand acres, to be taken from the western part thereof, and to be separated from the remaining portion of said reservation by a line running along the section lines from north to south. The said lands so separated shall be appraised by three competent commissioners, one of whom shall be selected by said Omaha tribe of Indians in open council, and the other two shall be appointed by the Secretary of the Interior. After the survey and appraisal of said lands, as herein provided, the Secretary of the Interior shall be, and hereby is, authorized to offer the same for sale for cash in hand; and sealed proposals, duly invited by public advertisements, shall be received for the same for tracts not exceeding one hundred and sixty acres each, and also for the entire body offered; and he shall be, and hereby is, authorized to accept the proposal for the entire tract, or the highest bids for separate tracts, whichever shall be deemed best for the interests of the Indians: *Provided,* That no bids for separate tracts shall be accepted which may be less than the appraised value of such tract, nor less than one dollar and twenty-five cents per acre; or for the entire tract which shall be less than the aggregate appraised value of the same, nor less than one dollar and twenty-five cents per acre. The proceeds of such sale shall be placed to the credit of said Indians on the books of the treasury of the United States, and bear interest at the rate of five per centum per annum, payable semi-annually, except such portion thereof as the Secretary of the Interior, with the approval of the President of the United States, may deem necessary to be expended for their immediate use in improving and fencing farms, building houses, purchasing implements of agriculture and live stock, and in establishing and supporting schools: *Provided also,* That not more than twenty-five per centum of the principal of the aggregate amount of sales of said lands shall be expended in any one year: *Provided,* That no sale shall be approved unless the average sales of each of said parcels of said land shall be at least two dollars and fifty cents per acre.

Western part of reservation of the Omahas in Nebraska to be separated and surveyed, if, &c.;

to be appraised.

Proposals for purchase for cash, as a whole or in tracts, to be invited by advertisement.

Best bid to be accepted.

Certain bids to be rejected.

Proceeds of sale to be placed to credit of the Indians, at interest, except, &c.,

Provisos.

SEC. 2. That with the consent and concurrence of the Pawnee tribe of Indians, expressed in open council in the usual manner, the Secretary of the Interior be, and hereby is, authorized to cause to be surveyed, if nec- Portion of the reservation of the Pawnees in Nebraska to be

separated and surveyed and appraised.

Proposals for purchase to be invited.

Proceeds of sales, how to be applied.

Part of the reservation of the Otoe and Missouri Indians to be separated, surveyed, and appraised.

Proposals for purchase for cash to be invited.

Proceeds of sales, how to be applied.

Part of the reservation of the Sac and Fox of the Missouri tribe of Indians to be separated, surveyed, and appraised.

Proposals for purchase for cash, to be invited.

Proceeds of sales, how to be applied.

Patents for lands sold under

essary, a portion of their reservation in the State of Nebraska, not exceeding fifty thousand acres, to be taken from that part of said reservation lying south of Loup Fork. The said lands so surveyed shall be appraised by three competent commissioners, one of whom shall be selected by the said Pawnee tribe of Indians in open council, and the other two shall be appointed by the Secretary of the Interior. After the survey and appraisement of said lands, as herein provided, the Secretary of the Interior shall be, and hereby is, authorized to offer the same for sale, for cash in hand, in the same manner and with the same restrictions as provided in the first section of this act relating to the Omaha lands; and the proceeds of such sale shall be placed to the credit of said Indians on the books of the treasury of the United States, and bear interest at the rate of five per centum per annum, payable semi-annually, except such portion thereof as the Secretary of the Interior, with the approval of the President of the United States, may deem necessary to be expended for their immediate use, as directed in the said first section of this act.

SEC. 3. That with the consent and concurrence of the Otoe and Missouri tribe of Indians, expressed in open council in the usual manner, the Secretary of the Interior be, and hereby is, authorized to cause to be surveyed, if necessary, a portion of their reservation lying in the States of Nebraska and Kansas, not exceeding eighty thousand acres, to be taken from the western part thereof, lying west of the Big Blue river, part of said tract lying in the State of Nebraska, and part lying in the State of Kansas. The said lands so surveyed shall be appraised by three competent commissioners, one of whom shall be selected by said Otoe and Missouri tribe of Indians in open council, and the other two shall be appointed by the Secretary of the Interior. After the survey and appraisement of said lands, as herein provided, the Secretary of the Interior shall be, and hereby is, authorized to offer the same for sale, for cash in hand, in the same manner and with the same restrictions as provided in the first section of this act relating to the Omaha lands; and the proceeds of such sale shall be placed to the credit of said Indians on the books of the treasury of the United States, and bear interest at the rate of five per centum per annum, payable semi-annually, except such portion thereof as the Secretary of the Interior, with the approval of the President of the United States, may deem necessary to be expended for their immediate use, as directed in the said first section of this act.

SEC. 4. That with the consent and concurrence of the Sac and Fox of the Missouri tribe of Indians, expressed in open council in the usual manner, the Secretary of the Interior be, and hereby is, authorized to cause to be surveyed, if necessary, a portion or the whole of their reservation in the State of Nebraska, containing about sixteen thousand acres. The said lands so surveyed shall be appraised by three competent commissioners, one of whom shall be selected by said Sac and Fox of the Missouri tribe of Indians in open council, and the other two shall be appointed by the Secretary of the Interior. After the survey and appraisement of said lands, as herein provided, the Secretary of the Interior shall be, and hereby is, authorized to offer the same for sale, for cash in hand, in the same manner and with the same restrictions as provided in the first section of this act relating to the Omaha lands; and the proceeds of such sale shall be placed to the credit of the said Indians on the books of the treasury of the United States, and bear interest at the rate of five per centum per annum, payable semi-annually, except such portion thereof as the Secretary of the Interior, with the approval of the President of the United States, may deem necessary to be expended for their immediate use, as directed in the said first section of this act, or for their removal to the Indian Territory or elsewhere, in case they desire to remove.

SEC. 5. That in all patents of lands sold under authority of this act, there shall be inserted a clause forever prohibiting the sale of intoxicating

liquors on said lands, under pain of forfeiture of title thereto; and due notice of this provision shall be given in the advertisement offering said lands for sale.

SEC. 6. That the commissioners to be appointed by the Secretary of the Interior, under the provisions of this act, shall receive compensation for their services at the rate of eight dollars for each day actually engaged in the duties herein designated, in addition to the amount paid by them for actual travelling and other necessary expenses.

APPROVED, June 10, 1872.

this act to contain a clause prohibiting sale of intoxicating liquors thereon, under, &c. Notice thereof in advertisement. Pay of appraisers of lands under this act.

CHAP. CDXXXVII. — *An Act to grant the Right of Way through the public Lands to the Eastern Nevada Railroad Company.*

June 10, 1872.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of aiding the Eastern Nevada Railroad Company, the same being a corporation organized under the laws of the State of Nevada, to construct and operate a railroad from the town of Elko to the town of Hamilton city, all in Nevada, the right of way through the public lands be, and the same is, hereby, granted to said Eastern Nevada Railroad Company, its successors and assigns, for the construction of a railroad as proposed; and the right is hereby given to said corporation to take from the public lands adjacent to the line of said road material for the construction thereof. Said way is granted to said railroad to the extent of one hundred feet in width on each side of said road where it may pass through the public domain; also, all necessary ground for station buildings, work-shops, depots, machine-shops, switches, side-tracks, turn-tables, and water stations, not to exceed twenty acres, not mineral lands, for each ten miles of the entire length of said road: *Provided*, That the right herein granted shall not preclude the construction of other roads through any cañon, defile, or pass.

Right of way through the public lands granted to the Eastern Nevada R. R. Co.;

and to take material from adjacent lands.

Extent of grant-

Other roads may be built through any defile.

SEC. 2. That the acceptance of this act by the said Eastern Nevada Railroad Company shall be signified in writing, under the corporate seal of said company, duly executed pursuant to the direction of its board of directors first had and obtained, which acceptance shall be made within one year after the passage of this act, and not afterward, and shall be deposited with the Secretary of the Interior; and within the same period the said company shall also file with said Secretary of the Interior a map of the definite location of the entire line of the road, and the said secretary shall thereupon take the requisite steps, by withdrawal or otherwise, to protect said right of way: *Provided, however*, That the entire line of said road, in manner in accordance with its charter, shall be fully completed within two years from date of approval of this act, or in default thereof, the right of way hereby granted shall be forfeited and revert to the United States.

Act to be accepted in writing within one year, and map of location filed.

Entire road to be completed within two years.

APPROVED, June 10, 1872.