

June 5, 1872.

CHAP. CCCIX.— *An Act to carry into Effect the fourth Article of the Treaty of February twenty-three, eighteen hundred and sixty-seven, with the Seneca, Shawnee, Quapaw, and other Indians.*

Preamble.

Vol. xv. pp. 514, 526.

WHEREAS, by the fourth article of the treaty of February twenty-third, eighteen hundred and sixty-seven, with the Shawnee, Quapaw, and other Indians, the strip of lands belonging to said Quapaws lying within the State of Kansas was sold to the United States, and intended, by the amendment to said article, to be sold to actual settlers, under the pre-emption laws of the United States; but whereas, by the manner of insertion of said amendment, the said lands are left without any provisions for their disposal: Therefore, for the purpose of carrying out the intention of the treaty and of its amendments,

Amendment of treaty declared to apply to what lands of the Quapaw Indians.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the said amendment shall not be construed as authorizing or providing for the disposal of the lands of the said Quapaw Indians, which, by the fourth article of the said treaty of February twenty-third, eighteen hundred and sixty-seven, were sold to the United States at one dollar and fifteen cents an acre, and lying and being within the boundary of the Indian Territory, but said amendment shall refer to, and be construed to authorize and direct, the disposal of the strip of land theretofore belonging to said Indians, lying and being within the State of Kansas, and which, by the aforesaid article of said treaty, were [was] sold to the United States for one dollar and twenty-five cents an acre.

Certain land in Kansas ceded to the United States by the Quapaw Indians open to entry and pre-emption.

One half-section to Samuel G. Vallier.

SEC. 2. That the said strip of land within the State of Kansas, so ceded to the United States by the said Quapaw band of Indians, be, and the same is hereby, declared open to entry and pre-emption, under the pre-emption laws of the United States, at the price of one dollar and twenty-five cents an acre, excepting therefrom one half-section, to be patented to Samuel G. Vallier, including his improvements, as provided in the fourth article of said treaty; and all such pre-emptions shall be paid for in the lawful money of the United States, at the proper land office of the United States, within one year from the date of settlement, or where settlement was made before the passage of this act, then within one year from the passage of the same: *Provided,* That in case any settler has entered upon and improved a single tract, not exceeding one hundred and sixty acres, a part of which is embraced in said Quapaw strip, and a part on the government strip, so called, his entry of the part on the government strip, under the pre-emption laws, shall not prevent the entry of the remainder of his tract upon said Quapaw lands, in the State of Kansas, under this act.

Tracts part on the Quapaw strip and part on the government strip.

APPROVED, June 5, 1872.

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See *Post*, p. 538.

CHAP. CCCX. — *An Act to confirm to the Great and Little Osage Indians a Reservation in the Indian Territory.*

Preamble.

Vol. xiv. pp. 799, 804.

WHEREAS by the treaty of eighteen hundred and sixty-six between the United States and the Cherokee nation of Indians, said nation ceded to the United States all its lands west of the ninety-sixth meridian west longitude, for the settlement of friendly Indians thereon; and whereas by act of Congress approved July fifteenth, eighteen hundred and seventy, the President was authorized and directed to remove the Great and Little Osage Indians to a location in the Cherokee country west of the ninety-sixth meridian, to be designated for them by the United States authorities; and whereas it was provided by the same act of Congress that the lands of the Osages in Kansas should be sold by the United States, and so much of the proceeds thereof as were necessary should be appropriated for the payment to the Cherokees for the lands set apart for the said Osages west of the ninety-sixth meridian; and whereas under the provisions of the above-mentioned treaty and act of Congress and

1870, ch. 296, § 12.

Vol. xvi. p. 362.