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CHAP. 144.—An act to provide for the sale of the lands of the Miami Indians in Kansas. May 15, 1882.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unallotted lands of the Miami Indians in Kansas, including the school-sections, shall be disposed of in the following manner, to wit: Lands of Miami Indians, Kansas.

That each bona-fide settler occupying any portion of said lands at the date of the passage of this act, and having made valuable improvements thereon, or the heirs-at-law of such, who is a citizen of the United States, or who has declared his intention to become such, shall be entitled at any time within one year from the passage of this act to purchase the land so occupied and improved by him, not to exceed one hundred and sixty acres in each case, according to the government survey, at the appraised value thereof, as heretofore ascertained by the Secretary of the Interior, in accordance with the provisions of the act of March third, eighteen hundred and seventy-three, under such rules and regulations as the Secretary of the Interior may prescribe. And such persons who are entitled to purchase said lands as aforesaid shall be permitted to make payment therefor in cash or in three equal annual installments, the first installment to be payable on the day of the entry of the land, and the remaining two installments annually thereafter, with interest at the rate of six per centum per annum from the date of entry. Sale. Settlers entitled to purchase 160 acres. 17 Stat., 631. Payments.

SEC. 2. That all lands not purchased by said settlers at the expiration of six months from the date of this act, together with all the unoccupied and unallotted lands of the Miami Indians, shall be offered at public sale in the usual manner, under the direction of the Secretary of the Interior, at not less than the appraised value, notice of said sale to be given by public advertisement, of not less than sixty days in three newspapers having general circulation in the State of Kansas; and any tract or tracts not then sold, together with such as may be hereafter purchased by said settlers, but wherein default may be made in the payment of any portion of the purchase-money, or the interest thereon as herein provided, shall be thereafter subject to private entry at the appraised value of the same. Lands not purchased by settlers to be offered at public auction.

SEC. 3. That the net proceeds of the sales of said lands, after defraying the expenses of the sale, shall belong to said Miami Indians, and shall be disposed of as now provided by law. Proceeds of sales, how disposed of.

SEC. 4. That the provisions of this act shall not in any way affect the rights or claims of those individual Miamies, or persons of Miami blood or descent, who are named in the corrected list referred to in the Senate amendment to the fourth article of the treaty of June fifth, eighteen hundred and fifty-four, or their descendants. And before the proceeds which have been, or may be hereafter, realized from the sale of said lands shall be applied for any purpose, or distributed, the Secretary of the Interior shall obtain the opinion of the Attorney-General as to what rights or interests, if any, said persons have or had in and to said lands, and if in his opinion they are or were entitled to have parcels of said lands allotted to them under the provisions of said treaty, and failed to receive the same, then said Secretary of the Interior is hereby authorized and directed to pay to each of said persons out of the proceeds of the sale of said lands as aforesaid, a sum equal to the value of two hundred acres of said lands as appraised for the purpose of making said sale, for and in lieu of their interest in said lands, and that of the surplus of said proceeds which may then remain, if any, that they receive their pro rata share thereof the same as other members of said late tribe of Miami Indians. Rights of individual Miamies preserved. 10 Stat., 1098.

Approved, May 15, 1882.