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notwithstanding the limit heretofore fixed in its original articles of association and determined by the Comptroller of the Currency; and the Comptroller of the Currency is hereby authorized to fix the limit of increase of the capital stock of the First National Bank of Larned, Kansas, at the amount of two hundred and fifty thousand dollars.

Limit of increase.

Approved, March 3, 1885.

CHAP. 337.—An act to provide for the sale of the Sac and Fox and Iowa Indian Reservations, in the States of Nebraska and Kansas, and for other purposes."

March 3, 1885.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That with the consent of a majority of the chiefs, headmen, and male adults of the Sac and Fox (of the Missouria) tribe of Indians and the Iowa tribe of Indians, expressed in open council by each tribe, the Secretary of the Interior be, and he hereby is, authorized to cause to be surveyed, if necessary, and sold the remainder of the reservations of the Sac and Fox and Iowa Indians, lying in the States of Nebraska and Kansas. The said lands shall be appraised, in tracts of forty acres each, by three competent commissioners, one of whom shall be selected by the Sac and Fox and Iowa tribes of Indians and the other two shall be appointed by the Secretary of the Interior.

Sale of Sac and Fox and Iowa Indian Reservations in Nebraska and Kansas.

Secretary of Interior to survey and sell said lands with consent of majority of chiefs, headmen, and male adults.

Appraisement in tracts of forty acres.

SEC. 2. That after the survey and appraisement of said lands the Secretary of the Interior shall be, and hereby is, authorized to offer the same, through the United States public-land office at Beatrice or Lincoln, Nebraska, at public sale, to the highest bidder. In cases where improvements have been made by any Indian or for the United States upon such lands, such improvements shall be separately appraised: *Provided*, That no portion of such land shall be sold at less than the appraised value thereof, and in no case for less than eight dollars per acre, and to none except such as purchase the same for actual occupation and settlement, and who have made and subscribed on oath, before the register of said land-office, and filed the same with said officer of the land-office at Beatrice or Lincoln Nebraska, that it is his good-faith intention to settle upon and occupy the land which he seeks to purchase, and improve the same for a home; and, except in case of the death of the purchaser, unless said party shall have executed his declared intention by making improvements and being in actual occupation of said land, by actual residence thereon, at the time for making the second payment, he shall forfeit the payment already made, and the land shall be subject to resale as hereinafter provided. Each purchaser of said lands at such sale shall be entitled to purchase one hundred and sixty acres of land, and no more, except in cases where a tract contains a fractional excess over one hundred and sixty acres. If the excess is less than forty acres, is contiguous, and results from inability in the survey to make township and section lines conform to the boundary-lines of the reservation, and no other objection exists, the purchase of such excess shall be allowed. Such purchaser shall pay one-fourth of the purchase-price at the time said land is bid off, one-fourth in one year, one-fourth in two years, and one-fourth in three years, with interest on the deferred payments at the rate of six per centum per annum; and where there are improvements upon the lands purchased which shall have been separately appraised, the purchaser shall pay the appraised value of such improvements at the time of purchase, in addition to the amounts hereinbefore required to be paid. No patents shall issue until all payments shall have been made; and on the failure of any purchaser to make payment as required by this act he shall forfeit the lands purchased, and the same shall be subject to entry and sale, at the appraised value thereof, or shall be again offered at public sale, as the Secretary of the Interior may determine.

Sales to be through public-land offices.

Indian improvements separately appraised.

Proviso.

Price not less than $8 per acre, and sales only to actual settlers in good faith.

Purchase limited to 160 acres, except in case of a fractional excess.

Payments and interest.

Patents when all payments are made.

Forfeiture on failure to pay.

SEC. 3. That if any member of said Sac and Fox or Iowa tribe of Indians residing at the date of the passage of this act upon any of the lands authorized to be sold by the second section of this act, and who has improvements thereon, shall elect to remain on the lands occupied by him, such lands shall be withheld from sale as provided for herein; and the Secretary of the Interior shall cause a certificate to issue to the person so electing as follows: If he be the head of a family, to one hundred and sixty acres of land, and if a single man, to eighty acres of land, the land so selected to include his improvements, and to be accepted in full satisfaction of his interest in and to the said reservation, and of the moneys or fund realized from the sale thereof. The certificate provided for herein shall be of the legal effect, and declare that the United States does and will hold the land thus certified, for the period of twenty-five years, in trust for the sole use and benefit of the allottee, or in case of his decease, of his heirs according to the laws of the State in which said land is situated, and that at the expiration of said period the United States will convey the same by patent to said Indian, or his heirs, as aforesaid, in fee, discharged of said trust and free of all charge or incumbrance whatsoever; and if any conveyance shall be made of the lands thus allotted, or any contract made touching the same, before the expiration of the time above mentioned, such conveyance or contract shall be absolutely null and void; and such lands during such time shall not be subject to taxation, alienation, or forced sale under execution or otherwise.

Allotments to Indians choosing to remain.

Trust certificates for 25 years.

Patents then to issue.

Conveyances or contracts, before 25 years expire, void.

Free from taxation, etc.

SEC. 4. That the proceeds of the sale of any improvements belonging to individual Indians shall be paid to the Indians to whom such improvements belonged. The proceeds of the sale of any improvements belonging to the United States shall be deposited in the Treasury of the United States and the proceeds of the sale of said lands, first deducting therefrom the cost of the survey, appraisement, and sale, and the expense of removing the Indians as hereinafter provided, shall be placed to the credit of the said Sac and Fox and Iowa Indians, according to the interest of said tribes in said reservations, in the Treasury of the United States, and shall bear interest at the rate of four per centum per annum, which income shall be annually expended for the benefit of said Indians, under the direction of the Secretary of the Interior.

Proceeds of Indians' improvement paid to them.

Proceeds of United States improvements paid into Treasury.

Proceeds of lands deposited in Treasury in trust for Indians with interest.

SEC. 5. That the Secretary of the Interior may, with the consent of the Indians expressed in open council, as aforesaid, secure other reservation lands upon which to locate said Indians, cause their removal thereto, and expend such sum as may be necessary for their comfort and advancement in civilization.

Secretary of Interior may, with consent of Indians, secure for them other reservations.

SEC. 6. That the President of the United States be, and he is hereby, authorized to cause patents to be issued to the Sac and Fox (of the Missouria) tribe of Indians and the said Iowa tribe for the reservations that may be selected for them under the provisions of the preceding section.

Patents for reservations that may be selected.

SEC. 7. That the patent authorized by the preceding section to be issued to said Sac and Fox and Iowa tribes of Indians shall be of the legal effect, and declare that the United States does and will hold the land therein described in trust for the sole use and benefit of said Sac and Fox and Iowa tribes of Indians, respectively.

Patents for lands to be in trust.

SEC. 8. That whenever the Indians who may be properly residing upon the said reservations referred to in the last preceding sections shall desire allotments of lands in severalty, the Secretary of the Interior shall cause allotments to be made to such Indians in quantity as follows:

Allotments to be for—

To each head of a family, one hundred and sixty acres.

A head of a family, 160 acres.

To each single person over the age of twenty-one years, eighty acres.

Single person, over 21, 80 acres.

To each minor, forty acres.

Minor, 40 acres.

SEC. 9. That upon the approval of the allotments provided for in the preceding section by the Secretary of the Interior, the President shall

Certificates for allotments.

cause certificates to issue therefor in the name of the allottees, which certificates shall be of the legal effect, and declare that the United States does and will hold the fee of the land thus allotted, for the period of twenty-five years, in trust for the sole use and benefit of the Indian to whom such allotment shall have been made, or in case of his decease, of his heirs, and that at the expiration of said period the United States will convey the same by patent to the said Indian, or his heirs, in fee, discharged of said trust and free of all charge or incumbrance whatsoever; and if any conveyance shall be made of the lands set apart and allotted as herein provided, or any contract made touching the same, before the expiration of the time above mentioned, such conveyance or contract shall be absolutely null and void.

Same as section 3.

SEC. 10. That the Secretary of the Interior may, with the consent of the Indians expressed in open Council, as provided in section one, cause the removal of that portion of the Sac and Fox and Iowa tribes residing upon said Sac and Fox and Iowa Reservations, in Nebraska and Kansas, to the reservation or reservations that may be secured for them, and expend such sums as may be rendered necessary by such removal, and for the comfort and advancement in civilization of said Indians; and the sum of ten thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of such expenses and for the expenses of the survey, appraisement, and sale of said Sac and Fox and Iowa lands; and the amount so expended shall be reimbursed to the United States out of the first proceeds of the sales of said lands by said tribes respectively.

Removal of Indians to reservations secured for them.

Appropriation.

Approved, March 3, 1885.

CHAP. 338.—An act making an appropriation for the Agricultural Department for the fiscal year ending June thirtieth, eighteen hundred and eighty-six, and for other purposes.

March 3, 1885.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, out of any money in the Treasury of the United States not otherwise appropriated, in full compensation for the fiscal year ending June thirtieth, eighteen hundred and eighty-six, for the purposes and objects hereinafter expressed, namely:

Appropriation for the Agricultural Department.

DEPARTMENT OF AGRICULTURE.

OFFICE OF COMMISSIONER.

For compensation of Commissioner of Agriculture, four thousand five hundred dollars; chief clerk in said Department, who shall be superintendent of the Department buildings, two thousand five hundred dollars; chief of division of accounts and disbursing officer, one thousand eight hundred dollars; one assistant disbursing officer, who shall act as property clerk, one thousand four hundred dollars; one clerk to disbursing officer, one thousand dollars; one stenographer, one thousand eight hundred dollars; one engraver, two thousand dollars; one microscopist, one thousand eight hundred dollars; one botanist, one thousand eight hundred dollars; one assistant botanist, one thousand two hundred dollars; two clerks of class four, three thousand six hundred dollars; two clerks of class three, three thousand two hundred dollars; four clerks of class two, five thousand six hundred dollars; seven clerks of class one, eight thousand four hundred dollars; eight clerks, at one thousand dollars each; six clerks, at eight hundred and forty dollars each; one librarian, one thousand four hundred dollars; one engineer, one thousand four hundred dollars; two firemen, at seven

Compensation of Commissioner of Agriculture, clerks, etc.