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March 3, 1905.
[H. R. 15609.]
[Public, No. 173.]

CHAP. 1440.—An Act Providing for the acquirement of water rights in the Spokane River along the southern boundary of the Spokane Indian Reservation, in the State of Washington, for the acquirement of lands on said reservation for sites for power purposes and the beneficial use of said water, and for other purposes.

Spokane River, Wash.
Use of waters.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the right to the use of the waters of the Spokane River where the said river forms the southern boundary of the Spokane Indian Reservation may, with the consent of the Secretary of the Interior, be acquired by any citizen, association, or corporation of the United States by appropriation under and pursuant to the laws of the State of Washington.

Spokane Indian Reservation.
Grant of lands of, for dams, etc.

SEC. 2. That the Secretary of the Interior be, and he hereby is, authorized and empowered to grant such appropriator or appropriators land on said reservation, whether the same has been allotted in severalty to any individual Indians, but which has not been conveyed to the allottee with full power of alienation, or whether the same remains unallotted, on the north bank of the said Spokane River, such as shall be necessary and requisite for overflow rights and for the erection of suitable water, electrical, or power plants, dams, wing walls, flumes, or other needful structures required for the development of power or for the beneficial use of said water: *Provided*, That no lands shall be granted under this Act until after the Secretary of the Interior is satisfied that the person, association, or company applying has made said application in good faith and with intent and ability to use said lands for the purposes above specified and that it requires the quantity of land applied for in such use, and in case objection to the grant of said land shall be made the said Secretary shall afford the parties so objecting a full opportunity to be heard.

Proviso.
Decision of Secretary of the Interior.

Compensation.

SEC. 3. That the compensation to be paid for said land by said applicants shall be determined in the manner prescribed in section three of the Act of March second, eighteen hundred and ninety-nine, entitled "An Act to provide for the acquiring of rights of way by railroad companies through Indian reservations, Indian lands, and Indian allotments, and for other purposes."

Vol. 30, p. 991.

Indian lands.

SEC. 4. That if the land allotted in severalty to any individual Indian which has not been conveyed to the allottee with full power of alienation be granted to any such appropriator, the Secretary of the Interior is empowered to use the moneys received for such land so allotted in the purchase of other suitable lands for such allottee.

Rules, etc.

SEC. 5. That the Secretary of the Interior shall make all needful rules and regulations not inconsistent herewith for the proper execution and carrying into effect of this Act.

Approved, March 3, 1905.

March 3, 1905.
[H. R. 15970.]
[Public, No. 174.]

CHAP. 1441.—An Act To amend section eleven hundred and forty-one of the "Act to establish a code of law for the District of Columbia," approved March third, nineteen hundred and one, as amended by the Act approved June thirtieth, nineteen hundred and two.

District of Columbia Code.
Guardianship.
Vol. 31, p. 1371, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section eleven hundred and forty-one of the "Act to establish a code of law for the District of Columbia," approved March third, nineteen hundred and one, as amended by the Act approved June thirtieth, nineteen hundred and two, be, and the same is hereby, amended so as to read as follows:

Ancillary guardians for nonresident infants and lunatics.

"SEC. 1141. NONRESIDENT INFANT OR LUNATIC.—Whenever an infant or lunatic residing without the District is entitled to property in the District or to maintain any action therein, a general guardian or committee of his estate, appointed by a court of competent juris-