

or assigns, to construct and maintain across the Mississippi River a dam, canal, and works necessary incident thereto for water power and supply purposes at a point between sections twenty, twenty-nine, and thirty-two in township one hundred and twenty-eight north, range twenty-nine west of the fifth principal meridian, and sections seventeen and twenty, in township thirty-nine, range thirty-two west of the fourth principal meridian, in Morrison County, Minnesota: *Provided*, That the plans for the construction of said dam and appurtenant works shall be submitted to and approved by the Chief of Engineers and the Secretary of War before the commencement of the construction of the same: *And provided further*, That the said the Pike Rapids Power Company, its successors or assigns, shall not deviate from such plans after such approval, either before or after the completion of said structures, unless the modifications of such plans shall have previously been submitted to and received the approval of the Chief of Engineers and of the Secretary of War: *And provided further*, That there shall be placed and maintained in connection with said dam a sluiceway so arranged as to permit logs, timber, and lumber to pass around, through, and over said dam without unreasonable delay or hinderance and without toll or charges: *And provided further*, That the dam shall be so constructed that the Government of the United States may at any time construct in connection therewith a suitable lock for navigation purposes, and may at any time, without compensation, control the said dam so far as shall be necessary for the purposes of navigation, but shall not destroy the water power developed by said dam and structures to any greater extent than may be necessary to provide proper facilities for navigation, and that the Secretary of War may at any time require and enforce, at the expense of the owners, such modifications and changes in the construction of said dam as he may deem advisable in the interests of navigation."

SEC. 2. That section four of said Act above referred to be, and the same is hereby, amended so as to read as follows:

SEC. 4. That the right to amend, alter, or repeal this Act is hereby expressly reserved, and the same shall become null and void unless the construction of the dam hereby authorized is commenced within one year from June first, nineteen hundred and seven, and completed within three years thereafter, and that except so far as may be otherwise provided in this Act, the provision of the Act of Congress entitled 'An Act to regulate the construction of dams over navigable waters,' approved on the twenty-first day of June, nineteen hundred and six, shall be applicable to the construction of the dam provided in this Act."

Approved, March 2, 1907.

*Provisos.*  
Secretary of War to  
approve plans, etc.

Changes.

Sluiceway.

Lock.

Time of construction.  
*Ante*, p. 210, amended.

*Ante*, p. 386.

March 2, 1907.  
[S. 8535.]

[Public, No. 180.]

Cherokee Nation.  
Intermarried whites  
may sell improvements  
to citizens of.

**CHAP. 2521.**—An Act For the relief of certain white persons who intermarried with Cherokee citizens.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That for sixty days after allotment but in no case less than sixty days after the approval of this Act white persons who intermarried with Cherokee citizens prior to December sixteenth, eighteen hundred and ninety-five, and made permanent and valuable improvements on lands belonging to the Cherokee Nation prior to the decision of the Supreme Court of the United States in the case of Daniel Red Bird, the Cherokee Nation, and others, against The United States (Two hundred and third United States, page seventy-six), shall have the right to sell such improvements to citizens of the Cherokee Nation entitled to select allotments at a valuation to be approved by an official to be designated by the Secretary of the Interior

for that purpose; and the vendor shall have a lien on the rents and profits of the land on which the improvements are located for the purchase money remaining unpaid and shall have the right to enforce such lien in any court of competent jurisdiction: *Provided*, That where citizens of the Cherokee Nation entitled to allotments have heretofore applied for lands on which intermarried white persons own improvements, such citizens entitled to allotments shall have the prior right to purchase said improvements as herein provided.

Lien on rents.

*Proviso.*  
Prior right to purchase.

Approved, March 2, 1907.

**CHAP. 2522.**—An Act To provide for the refunding of certain money, and so forth.

March 2, 1907.  
[H. R. 5.]

[Public, No. 181.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there be, and is hereby, appropriated, out of any moneys in the Treasury not otherwise appropriated, to the corporations hereinafter named the amounts respectively placed opposite their names, the said amounts having been illegally assessed by the Commissioner of Internal Revenue and collected by the collector of internal revenue for the twenty-third district of Pennsylvania in the year eighteen hundred and ninety-eight, and the same being seven and one-half per centum discount upon the amounts of fermented-liquor stamps purchased by said corporations, respectively, upon the twenty-fourth day of July, eighteen hundred and ninety-seven, such assessment and collection having been decided to be illegal by the Attorney-General of the United States, and his decision having been acquiesced in by the Treasury Department; To the Phoenix Brewing Company, of Pittsburg, one thousand five hundred and seventy-five dollars, and to the Ober Brothers Brewing Company, of Allegheny, two hundred and twenty-five dollars.

Phoenix Brewing Company and Ober Brothers Brewing Company.  
Refund of internal revenue taxes to.

Amounts.

Approved, March 2, 1907.

**CHAP. 2523.**—An Act Providing for the allotment and distribution of Indian tribal funds.

March 2, 1907.  
[H. R. 5290.]

[Public, No. 182.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior is hereby authorized, in his discretion, from time to time, to designate any individual Indian belonging to any tribe or tribes whom he may deem to be capable of managing his or her affairs, and he may cause to be apportioned and allotted to any such Indian his or her pro rata share of any tribal or trust funds on deposit in the Treasury of the United States to the credit of the tribe or tribes of which said Indian is a member, and the amount so apportioned and allotted shall be placed to the credit of such Indian upon the books of the Treasury, and the same shall thereupon be subject to the order of such Indian: *Provided*, That no apportionment or allotment shall be made to any Indian until such Indian has first made an application therefor: *Provided further*, That the Secretaries of the Interior and of the Treasury are hereby directed to withhold from such apportionment and allotment a sufficient sum of the said Indian funds as may be necessary or required to pay any existing claims against said Indians that may be pending for settlement by judicial determination in the Court of Claims or in the Executive Departments of the Government, at time of such apportionment and allotment.

Indian tribal funds, Allotment, etc., of, authorized to individual Indians.

*Provisos.*  
Application.

Payment of existing claims.

**SEC. 2.** That the Secretary of the Interior is hereby authorized to pay any Indian who is blind, crippled, decrepit, or helpless from old

Payment to helpless, etc., Indians.