

shall be authorized and empowered to do any other act necessary, in his judgment, to carry into effect the awards of this commission, on notice to him by the said commissioners of their final award. Lands so patented shall be liable to taxation under the laws of Kansas after five years from the passing of this act, or sooner if sold by the parties to whom they may be patented under the said award: *Provided, however* That the section on which the Ottawa University stands, or any part of it, which may remain as a site of an institution of learning, shall remain free from taxation until the legislature of Kansas shall otherwise order. The said commissioners shall be required to make an award in writing which, within thirty days after the case is finally submitted, shall be filed in the office of the Secretary of Interior, and a copy thereof shall be delivered by the Secretary of the Interior to each of said parties when the same is so filed; and the concurrence of a majority of said commissioners in such award shall be necessary. Said commissioners shall also fix the amount of fees or compensation to be paid to the counsel of said Indians for services already rendered before the passing of this act, and which may be rendered hereafter in the premises, together with their expenses, which compensation and expenses shall be paid out of the funds, property and assets awarded to said Indians; and they shall also audit the costs of proceedings before this commission, which, with the compensation of the commissions to be fixed by the Secretary of the Interior, and their expenses, together with the compensation and expenses of the commission appointed under the act of June tenth, eighteen hundred and seventy-two, to be presented by the Secretary of the Interior shall be paid out of the property as a whole, and in proportion to the several interests as adjudged.

Taxation by Kansas.

Award of commissioners to be filed in the office of the Secretary of the Interior.

Fees for counsel to Indians.

Expenses and pay of commissioners. Costs of proceedings.

SEC. 3. That any vacancy occurring in this commission shall be filled by the President of the United States.

Vacancies in the commission.

SEC. 4. That any person or party interested in the awards to be made under this act shall have the right to institute suit or suits at law, or in chancery, before the circuit court of the United States within the State of Kansas, to carry into effect and enforce any decision made by the commissioners appointed under this act, and for this purpose, jurisdiction is hereby given to said court in all cases thus arising, and from the orders, decrees, and judgments of said court in such cases appeals may be taken as in other cases.

Awards, how may be carried into effect

SEC. 5. That if, at any time before the rendering of a decision by the commission aforesaid, the parties to the questions in controversy shall agree upon a settlement, and the said settlement shall be approved by the Secretary of the Interior, then the Secretary of the Interior is hereby authorized and empowered to issue patents of lands, and to do any other act necessary, in his judgment, to carry such settlement into effect, as if it were an award of the said commission, and each and all of the said parties shall have the right to enforce the terms of the settlement by suit suits in law or in chancery as provided for in section four of this act.

If parties agree upon a settlement before the commissioners render their decision, Secretary of the Interior to carry it into effect, &c.

Rights of parties in such case.

SEC. 6. That upon carrying into effect of the award or settlement aforesaid, the jurisdiction of the United States over the questions and property hereinbefore named, and the trust relating thereto, created by the aforesaid treaties shall cease and determine

Jurisdiction of the United States to cease, upon, &c.

SEC. 7. That this act shall be in force from and after its passage

When act takes effect.

APPROVED, March 3, 1873.

CHAP. CCCXX. — *An Act authorizing the Secretary of War to have a Monument erected at Salisbury, North Carolina, to the Memory of the Soldiers who died in Prison and are there buried.*

March 3, 1873.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War is hereby authorized and directed to have erected in the national cemetery

Monument to be erected in the



national cemetery at Salisbury, North Carolina, a suitable granite monument to the memory of the twelve thousand Union soldiers who died in the prison-pen at that place, and whose remains are buried in trenches in that cemetery; and the sum of ten thousand dollars, or so much thereof as may be necessary, is hereby appropriated for this purpose out of any money in the treasury not otherwise appropriated.

APPROVED, March 3, 1873.

March 3, 1873. CHAP. CCCXXI. — *An Act to authorize the Secretary of the Interior to negotiate with the Chiefs and Head-men of the Crow Tribe of Indians, for the Surrender of their Reservation or a Part thereof in the Territory of Montana.*

Secretary of the Interior may negotiate with the Crow Indians for surrender of their reservation in Montana, if, &c.

*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 be, and he is hereby, authorized to negotiate with the chiefs and head-men of the Crow tribe of Indians, in the Territory of Montana, for the surrender of their reservation in said Territory, or of such part thereof as may be consistent with the welfare of the said Indians; *Provided,* That any such negotiation shall leave the remainder of said reservation in compact form and in good locality for farming purposes, having within it a sufficiency of good land for farming and a sufficiency for water and timber; and if there is upon such reservation a locality where fishing could be valuable to the Indians, to include the same if practicable; and the Secretary shall report his action in pursuance of this act to Congress, at the next session thereof, for its confirmation or rejection.

APPROVED, March 3, 1873.

March 3, 1873. CHAP. CCCXXII. — *To authorize the Secretary of the Interior to negotiate with the Creek Indians for the Cession of a Portion of their Reservation, occupied by friendly Indians.*

Preamble.

Vol. xiv. p. 786.

Vol. xiv. p. 756.

Vol. xv. p. 496.

Whereas by the third article of the treaty concluded with the Creek Indians June fourteenth, eighteen hundred and sixty-six, said Indians ceded to the United States, for the settlement of friendly Indians and freedmen, the west half of their entire domain, to be divided by a line running north and south; and whereas the recent survey of said line, made in conformity with the provisions of said treaty, includes within the limits of the Creek reservation, east of said line, some of the improvements made on a reservation selected on what was supposed to be the Creek ceded lands, for the Seminole tribe of Indians, which reservation is provided for in their treaty of March first, eighteen hundred and sixty-six, and also some of the improvements of the Sacs and Foxes, of the Mississippi tribe of Indians, made on a reservation intended to be established in accordance with the provisions of their treaty of February eighteenth, eighteen hundred and sixty-seven; and whereas said improvements have been made upon said lands by and for the aforesaid Indians, who have settled thereupon in good faith, in accordance with treaty stipulations; and whereas it is necessary, in order to secure these improvements to said Indians, and to insure them suitable reservations, that the lands occupied thereby should be granted to them; Therefore,

Secretary of the Interior may negotiate with the Creek Indians for the cession of a portion of their reservation.

Report to Congress.

*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 be, and he hereby is, authorized to negotiate with the aforesaid Creek Indians for the relinquishment to the United States of such portions of their country as may have been set apart in accordance with treaty stipulations, for the use of the Seminoles, and the Sacs and Foxes of the Mississippi tribes of Indians, respectively, found to be east of the line separating the Creek ceded lands from the Creek reservation, and also to negotiate and arrange with said tribes for a final and permanent adjustment of their reservations; and the Secretary shall report the result to Congress.

APPROVED, March 3, 1873.