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SEC. 12. That said railway company shall execute a bond to the United States, to be filed with and approved by the Secretary of the Interior, in the penal sum of ten thousand dollars, for the use and benefit of the Indians of said reservation, conditioned for the due payment of any and all damages which may accrue by reason of the killing or maiming of any Indian belonging to said reservation, or of their live-stock, in the construction or operation of said railway, or by reason of fires originating thereby; the damages in all cases, in the event of failure by the railway company to effect an amicable settlement with the parties in interest, to be recovered in any court of the Territory of Dakota having jurisdiction of the amount claimed, upon suit or action instituted by the proper United States attorney in the name of the United States: *Provided*, That all moneys so recovered by the United States attorney under the provisions of this section shall be covered into the Treasury of the United States, to be placed to the credit of the particular Indian or Indians entitled to the same, and to be paid to him or them, or otherwise expended for his or their benefit, under the direction of the Secretary of the Interior.

Bond.

Litigation.

Proviso.

Moneys recovered.

Approved, February 23, 1889.

CHAP. 203.—An act to accept and ratify the agreement submitted by the Shoshones, Bannocks, and Sheepeaters of the Fort Hall and Lemhi Reservation in Idaho May fourteenth, eighteen hundred and eighty, and for other purposes.

February 23, 1889.

Whereas certain of the chiefs of the Shoshone, Bannock, and Sheepeater tribes of Indians have agreed upon and submitted to the Secretary of the Interior an agreement for the sale of a portion of their lands in the Territory of Idaho, their settlement upon lands in severalty, and for other purposes: Therefore,

Preamble.
Fort Hall and Lemhi Indian Reservations, Idaho.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That said agreement be, and the same is hereby, accepted, ratified, and confirmed. Said agreement is assented to by a duly-certified majority of the adult male Indians of the Shoshone and Bannack tribes occupying or interested in the lands of the Fort Hall Reservation, in conformity with the eleventh article of the treaty with the Shoshones and Bannacks of July third, eighteen hundred and sixty-eight (fifteenth Statutes at Large, page six hundred and seventy), and in words and figures as follows, namely:

Agreement with Shoshone and Bannack Indians.

Vol. 15, p. 670.

First. The chiefs and head men of the Shoshones, Bannacks, and Sheepeaters of the Lemhi Agency hereby agree to surrender their reservation at Lemhi, and to remove and settle upon the Fort Hall Reservation in Idaho, and to take up lands in severalty of that reservation as hereinafter provided.

Surrender of Lemhi Reservation.

Second. The chiefs and head men of the Shoshones and Bannacks of Fort Hall hereby agree to the settlement of the Lemhi Indians upon the Fort Hall Reservation in Idaho, and they agree to cede to the United States the following territory, namely: Beginning where the north line of township nine south intersects with the eastern line of their reservation; thence west with the extension of said line to the Port Neuf River; thence down and with Port Neuf River to where said township line crosses the same; thence west with said line to Marsh Creek; thence up Marsh Creek to where the north line of township number ten south intersects with the same; thence west with said line to the western boundary of said reservation; thence south and with the boundaries of said reservation to the beginning, including also such quantity of the north side of Port Neuf River as H. O. Harkness may be entitled to under existing law, the same to be conformed to the public surveys, so as to include the improvements of said Harkness.

Surrender of part of Fort Hall Reservation.

Payment to be made.

Third. In view of the cessions contained in the above articles the United States agrees to pay to the Lemhi Indians the sum of four thousand dollars per annum for twenty years and to the Fort Hall Indians the sum of six thousand dollars per annum for twenty years, the same to be in addition to any sums to which the above-named Indians are now entitled by treaty, and all provisions of existing treaties, so far as they relate to funds, to remain in full force and effect.

Allotments.

Fourth. Allotments in severalty of the remaining lands on the Fort Hall Reservation shall be made as follows:

To each head of family not more than one-quarter of a section, with an additional quantity of grazing land, not exceeding one-quarter of a section.

To each single person over eighteen years, and each other person under eighteen years now living, or may be born prior to said allotments, not more than one-eight, with an additional quantity of grazing land, not exceeding one-eighth of a section; all allotments to be made with the advice of the agent of the said Indians, or such other person as the Secretary of the Interior may designate for that purpose, upon the selections of the Indians, heads of families selecting for their minor children and the agent making allotments for each orphan child.

Survey of Fort Hall Reservation.

Fifth. The Government of the United States shall cause the lands of the Fort Hall Reservation above named to be properly surveyed and divided among the said Indians in severalty and in the proportions hereinbefore mentioned, and shall issue patents to them respectively therefor so soon as the necessary laws are passed by Congress. The title to be acquired thereto by the Indians shall not be subject to alienation, lease or incumbrance, either by voluntary conveyance of the grantee, or his heirs, or by the judgment, order or decree of any court, or subject to taxation of any character, but shall be and remain inalienable and not subject to taxation for the period of twenty-five years, and until such time thereafter as the President may see fit to remove the restriction, which shall be incorporated in the patent.

Done at the city of Washington this fourteenth day of May, anno Domini one thousand eight hundred and eighty.

Signatures.

TEN DOY, his x mark.
TESEDEMIT, his x mark.
GROUSE PETE, his x mark.
JACK GIBSON, his x mark.
TI HEE, his x mark.
CAPTAIN JIM, his x mark.
JACK TEN DOY, his x mark.

Witnesses:
J. F STOCK.
JOS. T. BENDER.
A. F. GENTES.
CHARLES RAINEY,
Acting Interpreter.
JOHN A. WRIGHT,
United States Indian Agent.

Allotment in severalty to Indians on Fort Hall Reservation.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to cause to be surveyed a sufficient quantity of land on the Fort Hall Reservation to secure the settlement in severalty to said Indians as provided in said agreement. Upon the completion of said survey, he shall cause allotments of land to be made to each and all of said Indians in quantity and character as set forth in the agreement above mentioned; and upon the approval of said allotments by

Patents.

the Secretary of the Interior, he shall cause patents to issue to each

and every allottee for the lands so allotted, with the conditions, restrictions, and limitations mentioned therein as are provided in the agreement.

Appropriations.

SEC. 3. That for the purpose of carrying the provisions of this act into effect, the following sums, or so much thereof as may be necessary, be, and the same is hereby, set aside, out of any moneys in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of the Interior, as follows:

For survey.

For the expense of the survey of the land as provided in section second of this act, twelve thousand dollars.

First installment.

For the first of twenty installments as provided in said agreement, to be used by the Secretary of the Interior for the benefit of the Indians in such manner as the President may direct: For the Lemhi Indians, four thousand dollars, and for the Fort Hall Indians, six thousand dollars.

Expense of removal.

For the expense of removing the Lemhi Indians to the Fort Hall Reservation, five thousand dollars.

Lemhi Reservation.

SEC. 4. That this act, so far as the Lemhi Indians are concerned, shall take effect only when the President of the United States shall have presented to him satisfactory evidence that the agreement herein set forth has been accepted by the majority of all the adult male members of the Shoshone, Bannack, and Sheepeater tribes occupying the Lemhi Reservation, and shall have signified his approval thereof.

Approved, February 23, 1889.

February 23, 1889.

CHAP. 204.—An act to authorize the construction of a bridge or bridges across the Mississippi River at La Crosse, Wisconsin.

La Crosse may bridge Mississippi River.

Wagon and foot bridge.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the city of La Crosse, a municipal corporation in the county of La Crosse, State of Wisconsin, its successors or assigns, may construct and maintain a bridge for the passage of vehicles of all kinds, animals, and foot-passengers across the Mississippi River from some point within the corporate limits of the city of La Crosse to Barron's Island, opposite the said city of La Crosse, and a bridge or bridges, for a like purpose, across that part of the Mississippi River west of the main channel of said river, from said Barron's Island to some point in the county of Houston, in the State of Minnesota: *Provided*, That it shall not be lawful to construct said bridge or bridges until the Secretary of War, after an examination and report by a board of three United States engineers, and appointed by him, shall certify that the same will not materially obstruct the navigation of said river: *And provided further*, That the location and plan or manner of constructing said bridge or bridges shall be subject to the approval of the Secretary of War, and until approved by him the bridge or bridges shall not be built; and there shall be submitted to the Secretary of War, for his examination and approval, a design or drawing of the bridge or bridges, and a map of the location, giving, for the space of one mile above and one mile below the proposed location, the topography of the banks of the river, the shore-lines at high and low water, the direction and strength of the currents at all stages, and the soundings, accurately showing the bed of the stream, the location of any other bridge or bridges, and all other information required.

Provisos.

Examination, etc.

Unobstructed navigation.

Secretary of War to approve plans, etc.

Toll.

SEC. 2. That the said city of La Crosse, its successors or assigns, shall have the right to charge and collect a reasonable rate of toll, not exceeding the amount limited by the laws of Minnesota or Wisconsin, and approved by the Secretary of War.