

dred and seven, in the amount of money belonging to the United States while in the custody of said Assistant Treasurer, the loss of said money having occurred through no fault or negligence on the part of said Assistant Treasurer, and said sum being the total amount carried in the statement of the Treasurer of the United States in his annual report for the year nineteen hundred and seven as "Unavailable funds, office Assistant Treasurer of the United States at Boston, Massachusetts." And for this purpose the said sum of three thousand dollars is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Appropriation.

Approved, May 6, 1910.

May 6, 1910.  
[S. 4490.]

[Public, No. 159.]

Nebraska.  
Trust allotments to  
Omahas in, subject to  
taxation.

Proviso.  
Not to be sold for  
default.

Payment by Secre-  
tary from tribal funds.

**CHAP. 202.**—An Act Providing for the taxation of the lands of the Omaha Indians in Nebraska.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all of the lands in the State of Nebraska belonging to the members of the tribe of Omaha Indians now held under trust patents of allotments issued prior to eighteen hundred and eighty-five be, and the same are hereby, made subject to appraisal and assessment for the purposes of taxation and subject to taxation for local, school district, road district, county, and state purposes as provided by the laws of the State of Nebraska now in force or to be hereafter enacted: *Provided,* That such lands so long as held under a trust patent shall not be subject to levy and tax sale as provided under the laws of the State of Nebraska for the collection of such taxes, but if such tax shall not be paid within one year after the same shall become due and payable, as provided by the laws of the State of Nebraska, then the list of all such unpaid and delinquent taxes on such lands of the Omaha Indians may be certified by the county treasurer of the county in which such lands are situated to the Secretary of the Interior, who shall be authorized to pay the same from any funds belonging to the Indian allottees owning such lands so taxed and arising from the rentals thereof or under his control; and in the event no such funds shall be in the possession or under the control of the Secretary of the Interior, he shall certify that fact to the said county treasurer, which certificate shall operate as a release and discharge of the tax assessed against the land of the Indian so without funds.

Approved, May 6, 1910.

May 6, 1910.  
[S. 5451.]

[Public, No. 160.]

Yakima Indian Res-  
ervation, Wash.  
Disposition of unal-  
lotted lands.  
Vol. 33, p. 598,  
amended.

Town sites reserved.  
R. S., sec. 2381, p.  
436.

**CHAP. 203.**—An Act To amend the Act approved December twenty-first, nineteen hundred and four, entitled "An Act to authorize the sale and disposition of surplus or unallotted lands of the Yakima Indian Reservation in the State of Washington."

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act approved December twenty-first, nineteen hundred and four, entitled "An Act to authorize the sale and disposition of surplus or unallotted lands of the Yakima Indian Reservation in the State of Washington," be, and the same is hereby, amended by adding thereto the following: "SEC. 9. That before any of the lands are disposed of the Secretary of the Interior is authorized to reserve from said lands such tracts for town-site purposes as, in his opinion, may be required for future public interests, and he may cause the same to be surveyed into lots and blocks and disposed of under the provisions of section twenty-three hundred and eighty-one of the Revised Statutes of the United States.

"SEC. 10. That the Secretary of the Interior is hereby authorized to make an allotment under the general allotment laws of the United States to each child of Indian parentage on the Yakima Reservation whose father or mother is or was a duly enrolled member of the tribe on that reservation, and who has not heretofore received an allotment; and there is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of thirty thousand dollars, or so much thereof as may be necessary, to enable the Secretary of the Interior to make the necessary surveys of such town sites and the sale of lots therein as may be established on the Yakima Reservation under the provisions of this Act and the allotments to be made to the unallotted children there, as provided for herein; the cost of making these allotments to be reimbursed to the United States out of the proceeds derived from the sale of surplus lands within the reservation: *Provided*, That the Secretary of the Interior shall cause to be set apart and reserved for schools, park, and other public purposes not more than ten acres out of each body of lands which may be reserved for town-site purposes under the provisions of this Act: *And provided further*, That after paying the expenses connected with the survey and sale of the lots within such town site as may be established, the Secretary of the Interior shall cause not more than twenty per centum of the net proceeds arising from the sale of lots within such town sites to be set apart and expended under his direction in the construction of schoolhouses or other public buildings or improvements in the town site in which such lots are located, and that the remainder of the proceeds from the sale of the lots shall be deposited in the Treasury of the United States and become a part of the fund belonging to the Yakima Indians arising from the disposal of the surplus lands on that reservation.

Allotments to children of enrolled members.

Appropriation for surveys, etc. *Ante*, p. 213.

Reimbursement.

*Providos*. Lands for public use.

Part of proceeds for buildings, etc.

Remainder to tribal fund.

"SEC. 11. That the lands allotted, those retained or reserved, and the surplus lands sold or otherwise disposed of shall be subject for a period of twenty-five years to all the laws of the United States prohibiting the introduction of intoxicants into the Indian country."

Prohibition of intoxicants.

Approved, May 6, 1910.

CHAP. 204.—An Act Granting lands for reservoirs, and so forth.

May 6, 1910.  
[S. 6808.]

[Public, No. 161.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the provisions of the Act entitled "An Act making appropriation for the current and contingent expenses of the Indian Department, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June thirtieth, nineteen hundred and ten," approved March third, nineteen hundred and nine, which authorized the Secretary of the Interior to grant to railway companies lands in Indian reservations for reservoirs, material or ballast pits, or for the purpose of planting and growing trees to protect their lines of railway, be, and the same are hereby, extended and made applicable to any lands which have been allotted in severalty to any individual Indian under any law or treaty, but which have not been conveyed to the allottee with full power of alienation; that the damages and compensation to be paid to any Indian allottee shall be ascertained and fixed in such manner as the Secretary of the Interior may direct and shall be paid by the railway company to said Secretary; that the damages and compensation paid to the Secretary of the Interior by the railway company taking any such land shall be paid by said Secretary to the allottee sustaining such damages.

Lands in severalty to Indians.  
Grant to railroads for reservoirs on allotments.  
Vol. 35, p. 781.

Compensation.

Payment to allottees.

Approved, May 6, 1910.