

purchase price of said lands, irrespective of any payments which may have been heretofore made.

Confirmation of previous entries.

SEC. 3. That upon making payment as prescribed in the preceding section all entries and mill-site applications heretofore allowed upon any of said lands shall be, and the same are hereby, confirmed, and patents shall issue therefor.

Disposition of receipts.

SEC. 4. That all moneys accruing from the sale of the lands hereby restored, except the fees allowed by law to the register and receiver, shall be paid into the Treasury of the United States and applied solely as follows:

Reimbursement.

First. To reimburse the United States for all expenses actually and necessarily incurred in running said boundary lines and surveying said lands.

Trust fund.

Second. The remainder to be held in trust for the sole use and benefit of the tribes of Indians now located upon said reservation, and to be expended by the Commissioner of Indian Affairs, under the direction and control of the Secretary of the Interior, in such manner and for such purposes as may to him seem to be for the best interests of said Indian tribes.

Ownership of Indians not recognized.

SEC. 5. That nothing herein contained shall be construed as recognizing title or ownership of said Indians to any part of said White Mountain Apache Indian Reservation, whether that hereby restored to the public domain or that still reserved by the Government for their use and occupancy.

Approved February 20, 1893.

February 20, 1893.

CHAP. 148.—An act to ratify and confirm an agreement made between the Seneca Nation of Indians and William B. Barker.

Preamble.

Whereas, the Seneca Nation of Indians in council, January third, eighteen hundred and ninety-three, duly entered into an agreement with William B. Barker, whereby said nation leased to said Barker the Oil Springs, the Cattaraugus and the Allegany reservations, situate in western New York, for the purpose of boring and testing said territory for gas and oil, on condition that if oil was found in paying quantities said nation should receive one-eighth part thereof, and if gas should be found in paying quantities said nation should receive forty dollars per annum for each gas well drilled and used, and in addition that each Seneca Indian family residing on either of said reservations should, if gas is found, have sufficient fuel for domestic use from any gas wells drilled on said territory free of charge, all of which is provided in said agreement, which was duly recorded in the Seneca Nation deed book, volume five, page three hundred and forty-one, January fourth, eighteen hundred and ninety-three, at three o'clock post meridian of that day: Therefore

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the agreement above recited be, and the same hereby is, in all things ratified, accepted, and confirmed.

Approved, February 20, 1893.

February 21, 1893.

CHAP. 149.—An act to amend an act establishing a court of private land claims and to provide for the settlement of private land claims in certain States and Territories, approved March third, eighteen hundred and ninety-one.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act to establish a court of private land claims and to provide for the settlement of private land claims in certain States and Territories,"

Court of private land claims.
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approved March third, eighteen hundred and ninety-one, be, and the same is hereby, amended as follows, to wit:

Section sixteen of chapter five hundred and thirty-nine of the public acts of the second session of the Fifty-first Congress is hereby amended by striking out the words "residing thereon as his home," where they occur in the forty-first line of page eight hundred and sixty-one, volume twenty-six, United States Statutes.

That section seventeen of said act be, and the same is hereby, amended so as to read as follows:

"SEC. 17. That in the case of townships heretofore surveyed in the Territories of New Mexico, Arizona, and Utah, and the States of Colorado, Nevada, and Wyoming, all persons who, or whose ancestors, grantors, or their lawful successors in title or possession, became citizens of the United States by reason of the treaty of Guadalupe Hidalgo, or the terms of the Gadsden purchase, and who have been in the actual continuous adverse possession of tracts, not to exceed one hundred and sixty acres each, for twenty years next preceding such survey, shall be entitled, upon making proof of such facts to the satisfaction of the register and receiver of the proper land district, and of the Commissioner of the General Land Office, upon such investigation as is provided for in section sixteen of this act, to enter without payment of purchase money, fees, or commissions such subdivisions, not exceeding one hundred and sixty acres, as shall include their said possessions.

"After a claim of the character described shall have been filed as directed in section eighteen of this act, and it shall appear that a tract claimed as aforesaid is of such shape that the claimant can not readily secure his interests by an entry by legal subdivisions of the public surveys, the Commissioner of the General Land Office may cause such claim to be surveyed at the expense of the United States, but the deputy surveyor performing the work shall not be paid for his services more than five dollars per day in addition to his necessary expenses.

"Before commencing such a survey the deputy surveyor shall post, in at least three prominent places in the township in which such claim is situated, a notice in both the English and Spanish languages, calling on all persons entitled to lands in said township under this section, to submit to him within a reasonable time proofs of their rights in the lands, by affidavit or otherwise. He shall then proceed to establish the lines of such possessions in the township as seem to him to be valid, properly connecting the lines thereof with the lines of public surveys, and he shall return the aforesaid proofs to the surveyor-general with the field notes of such claims and possessions. The surveyor-general shall then, upon his approval of said proofs and field notes of surveys, cause the said claim or claims to be platted, and numbered as a lot or lots of the section or sections in which such claim or claims are situated, and shall transmit a duplicate of the amended plat to the General Land Office and a triplicate thereof to the proper district land office, after which the land claimed as aforesaid may be entered as a lot or lots by the number or numbers designated upon the amended township plat:

Provided, however, That no person shall be entitled to enter more than one hundred and sixty acres in one or more tracts in his own right under the provisions of this section."

Section eighteen of said act is hereby amended by striking out the words "the passage of this act," in the third and fourth lines of said section, and inserting in place thereof the words "the first day of December, eighteen hundred and ninety-two."

Approved, February 21, 1893.

Adverse possession.
Requirements
modified.

Vol. 26, p. 861.

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Surveyed town-
ships.

Entries by persons
having 20 years ad-
verse possession.
Vol. 9, p. 922.

Limit.

Survey of irregular
tracts.

Proceedings to es-
tablish lines.

Approval of sur-
veys.

Proviso.

Limit.

Time extended for
filing claims.
Vol. 26, p. 862.