



1904

Proclamation 305—Fort Berthold Reservation in the State of North Dakota

Charles J. Kappler

Benjamin Harrison
President of the United States

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58TH CONGRESS, }
2d Session. }

SENATE.

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INDIAN AFFAIRS.

LAWS AND TREATIES.

Vol. I.

(LAWS.)

Compiled to December 1, 1902.

COMPILED AND EDITED

BY

CHARLES J. KAPPLER, LL. M.,

CLERK TO THE SENATE COMMITTEE ON
INDIAN AFFAIRS.

WASHINGTON:

GOVERNMENT PRINTING OFFICE.

1904.

108029

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this twenty third (23d) day of October, in the year of our Lord one thousand eight hundred and [SEAL.] ninety, and of the Independence of the United States the one hundred and fifteenth.

BENJ. HARRISON.

By the President:

ALVEY A. ADEE,
Acting Secretary of State.

May 20, 1891.
27 Stat., 979.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, pursuant to an act of Congress approved May fifteenth, eighteen hundred and eighty-six, entitled "An Act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various tribes for the year ending June thirtieth, eighteen hundred and eighty-seven, and for other purposes," an agreement was entered into on the fourteenth day of December, eighteen hundred and eighty-six, by John V. Wright, Jared W. Daniels, and Charles F. Larrabee, commissioners on the part of the United States, and the Arickaree, Gros Ventre, and Mandan tribes of Indians, residing on the Fort Berthold reservation, in the then Territory of Dakota, now State of North Dakota, embracing a majority of all the male adult members of said tribes; and

1891, ch. 543, ante, p. 425.

Whereas, by an act of Congress, approved March third, eighteen hundred and ninety-one, entitled "An Act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes for the year ending June thirtieth, eighteen hundred and ninety-two, and for other purposes," the aforesaid agreement of December fourteenth, eighteen hundred and eighty-six, was accepted, ratified, and confirmed, except as to article six thereof, which was modified and changed on the part of the United States so as to read as follows:

That the residue of lands within said diminished reservation, after all allotments have been made as provided in article three of this agreement, shall be held by the said tribes of Indians as a reservation;

and

Whereas, it is provided in said last above-mentioned act

That this act shall take effect only upon the acceptance of the modification and changes made by the United States as to article six of the said agreement by the said tribes of Indians in manner and form as said agreement was assented to, which said acceptance and consent shall be made known by proclamation by the President of the United States, upon satisfactory proof presented to him that the said acceptance and consent have been obtained in such manner and form;

and

Whereas, satisfactory proof has been presented to me that the acceptance of, and consent to, the provisions of the act last named by the different bands of Indians residing on said reservation, have been obtained in manner and form as said agreement of December fourteenth, eighteen hundred and eighty-six, was assented to:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested, do hereby make known and proclaim the acceptance of, and consent to, the modification and changes made by the United States as to Article six of said agreement, by said tribe of Indians as required by the Act, and said Act is hereby declared to be in full force and effect, subject to all provisions, conditions, limitations, and restrictions therein contained.

Fort Berthold Reservation, N. Dak.

Agreement with Indians ratified.

All persons will take notice of the provisions of said Act, and of the conditions and restrictions therein contained, and be governed accordingly.

I furthermore notify all persons to particularly observe that a certain portion of the said Fort Berthold reservation not ceded and relinquished by said agreement, is reserved for allotment to, and also as a reservation for, the said tribes of Indians; and all persons are, therefore, hereby warned not to go upon any of the lands so reserved, for any purpose or with any intent whatsoever, as no settlement or other right can be secured upon said lands, and all persons found unlawfully thereon will be dealt with as trespassers and intruders; and I hereby declare all the lands sold, ceded, and relinquished to the United States under said agreement, namely;

Lands reserved to Indians.

“All that portion of the Fort Berthold reservation, as laid down upon the official map of the” (then) “Territory of Dakota, published by the General Land Office in the year eighteen hundred and eighty-five, lying north of the forty-eighth parallel of north latitude, and also all that portion lying west of a north and south line six miles west of the most westerly point of the big bend of the Missouri River, south of the forty-eighth parallel of north latitude,” open to settlement, and subject to disposal as provided in Section twenty-five of the Act of March third, eighteen hundred and ninety-one aforesaid. (26 Stats., p. 1035.)

Lands ceded to the United States.

Ante, p. 428.

In witness thereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this twentieth (20th) day of May, in the year of our Lord one thousand eight hundred and [SEAL.] ninety-one, and of the independence of the United States the one hundred and fifteenth.

By the President:

BENJ HARRISON

Countersigned:

WILLIAM F WHARTON

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

Sept. 18, 1891.

27 Stat., 989.

A PROCLAMATION.

Whereas, by a written agreement, made on the twelfth day of June, eighteen hundred and ninety, the Sac and Fox Nation of Indians, in the Territory of Oklahoma, ceded and conveyed to the United States of America all title or interest of said Indians in and to the lands particularly described in Article I of the agreement, except the quarter section of land on which the Sac and Fox Agency is located; and provided that the section of land now designated and set apart near the Sac and Fox Agency for a school and farm shall not be subject either to allotment or to homestead entry; that every citizen of said Nation shall have an allotment of land, in quantity as therein stated, to be selected within the tract of country so ceded, except in sections sixteen (16) and thirty-six (36) in each Congressional township, and except the Agency quarter section and section set apart for school and farm, as above mentioned, or other lands selected in lieu thereof; that when the allotments to the citizens of the Sac and Fox Nation are made, the Secretary of the Interior shall cause trust patents to issue therefor in the name of the allottees, and that as soon as such allotments are so made, and approved by the Department of the Interior, and the

Preamble.
Agreement with
Sauc and Fox Indians,
Oklahoma.