

Feb. 13, 1871. CHAP. XLVIII. — *An Act to authorize the Sale of certain Lands reserved for the Use of the Menomonee Tribe of Indians, in the State of Wisconsin.*

Part of the lands reserved for the Menomonee Indians in Wisconsin to be appraised and sold.

Appraisal to state what;

to be subject to public inspection;

where to be returned.

Pay of appraisers.

Such lands to be advertised for sale at public auction;

notice of time and place of sale; mode of sale;

not subject to entry until, &c.

Lands unsold to be again offered for sale.

When subject to private entry. To be sold for cash only.

Lands selected for sale to be in a compact body. Improved lands, &c. not to be sold unless, &c.

Proceeds of sale, how to be applied.

Act to be inoperative until, &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 is hereby authorized to cause to be subdivided, appraised, and sold a portion of the lands, not exceeding six townships, reserved for the use of the Menomonee tribe of Indians, in the county of Shawanaw, and State of Wisconsin, as follows: The said lands shall be appraised by two or more disinterested appraisers, to be selected and appointed by said Secretary, in eighty-acre lots, according to the public survey. Such appraisal shall state the quality of the soil, the quality, quantity, and value of the timber growing on each lot; and, when returned to the land office of the district in which such lands are situated, shall be subject to public inspection for at least sixty days before the day appointed for the sale of said lands, as hereinafter provided. One copy of said appraisal shall be made and returned to the land office of the district in which such lands are situated within six months from the taking effect of this act, and a duplicate thereof to the Secretary of the Interior; and the persons appointed to make such appraisal shall receive such compensation for their services as may be fixed by the Secretary of the Interior.

SEC. 2. *And be it further enacted,* That the lands appraised as aforesaid shall be advertised for sale by notice of not less than three months, to be published in at least three newspapers of the said district having general circulation, and shall be offered, at public auction, at the nearest government land office within the Green Bay agency, to the highest bidder, in lots of not exceeding eighty acres; but shall not be sold for less than the appraised value thereof. None of said lands shall be subject to private entry until the same shall have been offered as aforesaid, and then only at the price fixed by such appraisal. All of said lands remaining unsold at the expiration of one year after they shall have been offered as aforesaid shall be again advertised and offered, at public auction, at the nearest government land office within the Green Bay agency, at not less than the minimum of one dollar and twenty-five cents per acre, and thereafter shall be subject to private entry at the latter price, and shall in all cases be sold for cash only.

SEC. 3. *And be it further enacted,* That the townships thus selected for sale shall be in a compact body, and consist, if practicable, of unoccupied lands: *Provided,* That such portions of the same as may be occupied and improved, if any, by members of the tribe, not exceeding eighty acres to each settler, shall not be sold without the consent of the party in possession, but shall be valued as other subdivisions, the appraisers reporting separately the value of the improvements thereon; which tracts may then, with the consent of the occupants, be sold, and the price of the improvements paid over to the respective occupants.

SEC. 4. *And be it further enacted,* That from the first proceeds of the sale of lands, as hereinbefore provided, shall be paid the expenses of survey, appraisal, and sale thereof; and the residue of such proceeds shall be paid to or funded for the benefit of said tribe, in such manner as the President, with the assent of the chiefs and headmen of said tribe, may determine.

SEC. 5. *And be it further enacted,* That this act shall be and remain inoperative, as to the first five sections thereof, until full and satisfactory evidence shall have been placed on the files of the office of commissioner of Indian affairs that the sales herein authorized have the sanction of the tribe, evidenced by orders or agreement taken in full council.

J. G. BLAINE,

*Speaker of the House of Representatives.*

SCHUYLER COLFAX,

*Vice-President of the United States and President of the Senate.*

Received by the President, February 1, 1871.

[NOTE BY THE DEPARTMENT OF STATE. — The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the House of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

CHAP. XLIX. — *An Act making an Appropriation for the contingent Fund of the House of Representatives.* Feb. 13, 1871.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sum of fifteen thousand dollars be, and the same is hereby, appropriated out of any money in the treasury not otherwise appropriated, for miscellaneous items under the head of contingent expenses of the House of Representatives.

APPROVED, February 13, 1871.

Appropriation for contingent fund of the House of Representatives.

CHAP. L. — *An Act granting Pensions to certain Soldiers and Sailors of the War of eighteen hundred and twelve, and the Widows of deceased Soldiers.* Feb. 14, 1871.

Post, pp. 503, 521.

*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 and directed to place on the pension roll the names of the surviving officers and enlisted and drafted men, including militia and volunteers, of the military and naval service of the United States, who served sixty days in the war with Great Britain of eighteen hundred and twelve, and were honorably discharged, and to such other officers and soldiers as may have been personally named in any resolution of Congress for any specific service in said war, although their term of service may have been less than sixty days, and who at no time, during the late rebellion against the authority of the United States, adhered to the cause of the enemies of the government, giving them aid and comfort, or exercised the functions of any office whatever under any authority or pretended authority in hostility to the United States, and who shall take and subscribe an oath to support the Constitution of the United States, and the surviving widows of such officers and enlisted and drafted men: *Provided,* That such widows shall have been married, prior to the treaty of peace which terminated said war, to an officer, or enlisted or drafted man, who served as aforesaid in said war, and shall not have remarried.

Pensions granted to certain soldiers and sailors of the war of 1812, and the surviving widows of any thereof.

Proviso

SEC. 2. *And be it further enacted,* That this act shall not apply to any person who is receiving a pension at the rate of eight dollars or more per month; nor to any person receiving a pension less than eight dollars per month, except for the difference between the pension now received and eight dollars per month. Pensions under this act shall be at the rate of eight dollars per month, except as herein provided when a person is receiving a pension of less than eight dollars per month, and shall be paid to the persons entitled thereto from and after the passage of this act for and during the term of their natural lives.

This act not to apply to certain persons.

Pensions to be at what rate.

SEC. 3. *And be it further enacted,* That before the name of any person shall be placed upon the pension roll under this act, proof shall be made, under such rules and regulations as the Secretary of the Interior may prescribe, that the applicant is entitled to a pension under the provisions of this act; and any person who shall falsely take any oath required to be taken under the provisions of this act, shall be guilty of perjury; and the Secretary of the Interior shall cause to be stricken from the pension roll the name of any person whenever it shall appear, by proof satisfactory to him, that such name was put upon such roll through false or fraudulent representations as to the right of such person to a pension under the provisions of this act. The loss of a certificate of discharge shall not deprive the applicant of the benefits of this act, but other proof of services per-

Proofs required under this act.

Perjury.

Names may be stricken from pension rolls.

Loss of certificate of discharge not to, &c.