

evidence introduced, and if he is of opinion that probable cause is shown for holding the person so charged for trial, shall cause such person to be safely conveyed to a secure place for confinement, within the jurisdiction of the United States district court for the eastern district of Arkansas, and certify a transcript of the record of his proceedings and the testimony in the case to said court, which court shall have jurisdiction of the case: *Provided*, That the said commissioner shall grant bail in all cases bailable under the laws of the United States or of the State of Arkansas or the ordinances of the city of Hot Springs.

Proviso.
Bail.

SEC. 8. That all process issued by the commissioner shall be directed to the marshal of the United States for the eastern district of Arkansas, but nothing herein contained shall be so construed as to prevent the arrest by any officer of the Government, police of said reservation, police officer of the city of Hot Springs, or employee of the United States within said boundaries, without process, of any person taken in the act of violating the law or this Act, or doing anything with reference to the matters which in section four of this Act the Secretary of the Interior is authorized to regulate, except in compliance with such rules and regulations, or committing any act in violation of such regulations.

Arrests may be made by police, etc.

Ante, p. 188.

SEC. 9. That the commissioner referred to in this Act and the marshal of the United States and his deputies in the eastern district of Arkansas shall be paid the same fees and compensation as are now provided by law for like services in said district.

Fees, etc.

SEC. 10. That all fees, costs, and expenses arising in cases under this Act and properly chargeable to the United States shall be certified, approved, and paid as are like fees, costs, and expenses in the courts of the United States.

Payment of fees, etc.

SEC. 11. That all fines and costs imposed and collected shall be deposited by said commissioner of the United States or the marshal of the United States collecting the same with the clerk of the United States district court for the judicial district in which said reservation may be situated.

Fines, etc.

SEC. 12. That all persons who may be imprisoned for nonpayment of any fine, or costs, provided for by this Act, or awaiting trial without bail, shall be confined in the jail of Pulaski County, at Little Rock, Arkansas, or at such place as may be otherwise designated.

Imprisonment for nonpayment.

SEC. 13. That upon the conviction of a party upon trial by said commissioner, or by said district court, execution of sentence shall be in conformity with the laws of the United States, anything in the statutes of the State of Arkansas to the contrary notwithstanding.

Execution of sentence.

Approved, April 20, 1904.

→ **CHAP. 1402.**—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 fiscal year ending June thirtieth, nineteen hundred and five, and for other purposes.

April 21, 1904.
[H. R. 12684.]

[Public, No. 125.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of paying the current and contingent expenses of the Indian Department, and in full compensation for all offices the salaries for which are specially provided for herein, for the service of the fiscal year ending June thirtieth, nine-

Indian Department appropriations.

United States
courts, Ind. T.
Payment of balance
due deputy clerks for
salaries.

Salaries rated.

Vol. 28, p. 695.

Provisos.
Compensation in
fees.

Vol. 32, p. 842.

Clerk's fees for re-
cording, etc., in cer-
tain towns limited to
\$2,500.

Yuma and Colorado
River reservations.
Reclamation and
disposal of irrigable
lands in.

Vol. 32, p. 388.

Diversion of Colo-
rado River authorized.

Provisos.
Allotment.

Price per acre.

Installment pay-
ments.
Disposal of proceeds.

SEC. 24. That the sum of twenty-five thousand dollars, or so much thereof as may be necessary, is hereby appropriated to pay the deputy clerks of the United States court in the Indian Territory the deficiency that may exist in their salaries from March first, nineteen hundred and three, to be paid by the disbursing clerk of the Department of Justice in the same manner as the salaries of the clerks of the several United States courts in the Indian Territory are now paid. That hereafter the salaries of the deputy clerks in the Indian Territory, appointed under the Act of March first, eighteen hundred and ninety-five (Twenty-eighth Statutes, page six hundred and ninety-five), and Acts amendatory thereto, be paid by the disbursing clerk for the Department of Justice at the rate of one thousand two hundred dollars per annum, as fixed by said Act, in the same manner as the salaries of the clerks of the United States courts in the Indian Territory are now paid: *Provided*, That the deputy clerks shall receive as compensation for recording all instruments provided for in the Act of February nineteenth, nineteen hundred and three (Thirty-second Statutes, page eight hundred and forty), the fees allowed for the recording of instruments provided for in said Act, to an amount not exceeding the sum of one thousand eight hundred dollars per annum, out of which sum all the actual expenses for clerk hire shall be paid, and all fees so received by any deputy clerk as aforesaid, amounting to more than the sum of one thousand eight hundred dollars per annum shall be accounted for to the Department of Justice, as required in said Act: *Provided further*, That at the towns of South McAlester, Muscogee, Vinita and Ardmore, respectively, the clerks of the United States court, who are in charge at said places, but not the deputy clerks, shall be permitted to retain out of the fees collected for the recording and filing of all instruments provided for in the Act of February nineteenth, nineteen hundred and three (Thirty-second Statutes, page eight hundred and forty), an amount not exceeding the sum of two thousand five hundred dollars per annum, out of which sum all the actual expenses for clerk hire necessary in the recording of instruments provided for in the above Act, shall be paid and all fees so received by any clerk as aforesaid amounting to more than the sum of two thousand five hundred dollars per annum, shall be accounted for to the Department of Justice as required in said Act.

SEC. 25. That in carrying out any irrigation enterprise which may be undertaken under the provisions of the reclamation Act of June seventeenth, nineteen hundred and two, and which may make possible and provide for, in connection with the reclamation of other lands, the reclamation of all or any portion of the irrigable lands on the Yuma and Colorado River Indian reservations in California and Arizona, the Secretary of the Interior is hereby authorized to divert the waters of the Colorado River and to reclaim, utilize, and dispose of any lands in said reservations which may be irrigable by such works in like manner as though the same were a part of the public domain: *Provided*, That there shall be reserved for and allotted to each of the Indians belonging on the said reservations five acres of the irrigable lands. The remainder of the lands irrigable in said reservations shall be disposed of to settlers under the provisions of the reclamation Act: *Provided further*, That there shall be added to the charges required to be paid under said Act by settlers upon the unallotted Indian lands such sum per acre as in the opinion of the Secretary of the Interior shall fairly represent the value of the unallotted lands in said reservations before reclamation; said sum to be paid in annual installments in the same manner as the charges under the reclamation Act. Such additional sum per acre, when paid, shall be used to pay into the reclamation fund the charges for the reclamation of the said allotted lands, and the remainder thereof shall be placed to the credit of said Indians and

shall be expended from time to time, under the direction of the Secretary of the Interior, for their benefit.

SEC. 26. That in carrying out any irrigation enterprise which may be undertaken under the provisions of the reclamation Act of June seventeenth, nineteen hundred and two, and which may make possible and provide for, in connection with the reclamation of other lands, the reclamation of all or any portion of the irrigable lands on the Pyramid Lake Indian Reservation, Nevada, the Secretary of the Interior is hereby authorized to reclaim, utilize, and dispose of any lands in said reservation which may be irrigable by such works in like manner as though the same were a part of the public domain: *Provided*, That there shall be reserved for and allotted to each of the Indians belonging on the said reservation five acres of the irrigable lands. The remainder of the lands irrigable in said reservation shall be disposed of to settlers under the provisions of the reclamation Act: *Provided further*, That there shall be added to the charges required to be paid under said Act by settlers upon the unallotted Indian lands such sum per acre as in the opinion of the Secretary of the Interior shall fairly represent the value of the unallotted lands in said reservation before reclamation, said sum to be paid in annual installments in the same manner as the charges under the reclamation Act. Such additional sum per acre, when paid, shall be used to pay into the reclamation fund the charges for the reclamation of the said allotted lands, and the remainder thereof shall be placed to the credit of said Indians and shall be expended from time to time, under the direction of the Secretary of the Interior, for their benefit.

Pyramid Lake Indian Reservation, Nev. Reclamation and disposal of irrigable lands in. Vol. 32, p. 388.

Provisos. Allotment.

Price per acre.

Installment payments. Disposal of proceeds.

SEC. 27. That the Indian school authorized by the Act of March third, nineteen hundred and 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 fiscal year ending June thirtieth, nineteen hundred and two, and for other purposes," to be located at or near the city of Mandan, in the State of North Dakota, is hereby located near the city of Bismarck, in the State of North Dakota, upon lands donated to the Government for that purpose and accepted by the Secretary of the Interior.

Bismarck, N. Dak. Location of school changed from Mandan to. Vol. 31, p. 1078.

Approved, April 21, 1904.

CHAP. 1403.—An Act To amend section twelve hundred and twenty-five of Revised Statutes, so as to provide for detail of retired officers of the Army and Navy to assist in military instruction in schools.

April 21, 1904. [S. 1399.]

[Public, No. 126.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section twelve hundred and twenty-five of the Revised Statutes, concerning the detail of officers of the Army and Navy to educational institutions, be, and the same is hereby, amended so as to permit the President to detail under the provisions of that Act, and in addition to the detail of the officers of the Army and Navy now authorized to be detailed under the existing provisions of said Act, such retired officers and noncommissioned officers of the Army and Navy of the United States as in his judgment may be required for that purpose to act as instructors in military drill and tactics in schools in the United States and Territories where such instructions shall have been authorized by the educational authorities thereof, and where the services of such instructors shall have been applied for by said authorities.

Military instruction in schools. Retired army and navy officers may be detailed to assist in. R. S., sec. 1225, p. 216, amended.

SEC. 2. That no detail shall be made under this Act to any school unless it shall pay the cost of commutation of quarters of the retired officers or noncommissioned officers detailed thereto and the extra-duty

Schools to pay extra cost.