

June 2, 1906.

BY THE PRESIDENT OF THE UNITED STATES.

A PROCLAMATION.

Shoshone or
Wind River Reser-
vation, Wyo.
Preamble.

Vol. 33, p. 1016.
Cession of unal-
lotted lands in.

Lands excepted.

WHEREAS, By an agreement between the Shoshone and Arapahoe tribes of Indians, belonging to the Shoshone or Wind River reservation in the State of Wyoming, on the one part, and James McLaughlin, a United States Indian Inspector, on the other part, amended and ratified by act of Congress approved March third, nineteen hundred and five (33 Stat., 1016), the said Indian tribes ceded, granted, and relinquished to the United States all the right, title, and interest which they may have had to all of the unallotted lands embraced within said reservation, except the lands within and bounded by the following described lines:

Beginning in the midchannel of the Big Wind River at a point where said stream crosses the western boundary of the said reservation; thence in a southeasterly direction following the midchannel of the Big Wind River to its conjunction with the Little Wind or Big Popo-Agle River, near the northeast corner of township one south, range four east; thence up the midchannel of the Big Popo-Agle River in a southwesterly direction to the mouth of the North Fork of the said Big Popo-Agle River; thence up the midchannel of said North Fork of the Big Popo-Agle River to its intersection with the southern boundary of the said reservation, near the southwest corner of section twenty-one, township two south, range one west; thence due west along the said southern boundary of the said reservation to the southwest corner of the same; thence north along the western boundary of said reservation to the place of beginning.

AND, WHEREAS, It was provided by said act of March three, nineteen hundred and five, that said unallotted lands ceded to the United States under said agreement should be disposed of under the provisions of the homestead, townsite, coal and mineral land laws of the United States, and should be opened to settlement and entry by proclamation of the President of the United States on June fifteenth, nineteen hundred and six, which proclamation shall prescribe the manner in which the lands shall be settled upon, occupied, and entered by persons permitted to make entry thereof, and no person shall be permitted to settle upon, occupy or enter said lands except as prescribed in said proclamation, until after the expiration of sixty days from the time when the same are open to settlement and entry; and the rights of honorably discharged soldiers and sailors of the late civil and Spanish wars, as defined and described in sections twenty-three hundred and four and twenty-three hundred and five of the Revised Statutes of the United States, as amended by the act of March one, nineteen hundred and one, shall not be abridged;

AND, WHEREAS, The time for the opening of said unallotted lands was extended to the fifteenth day of August, nineteen hundred and six, unless the President shall determine that the same may be opened at an earlier date, by Public Resolution of Congress, approved March twenty-eighth, nineteen hundred and six (Public Resolution No. Twelve);

NOW, THEREFORE, I, THEODORE ROOSEVELT, President of the United States of America, by virtue of the power in me vested by the said Act and Resolution of Congress, do hereby declare and make known that all the unallotted lands in the ceded portion of said reservation, except such as may at that time have been reserved for carrying out the provisions of said amended treaty relative to the rights of Asmus Boysen, allowing him to locate in accordance with the Government surveys not to exceed six hundred and forty acres in the form of a square, of mineral or coal lands in said reservation, and to purchase the same, will, on and after the fifteenth day of August, nineteen hundred and six, in the manner hereinafter prescribed, and not otherwise, be opened to settlement, entry, and disposition under the general provisions of the homestead, townsite, coal, and mineral land laws of the United States.

And it is further directed and provided that commencing at nine o'clock a. m., on Monday July 16, 1906, and ending at six o'clock p. m., Tuesday, July 31, 1906, a registration will be held at Lander, Shoshoni, and Thermopolis; also, at Worland, provided that the Big Horn Railroad, now in course of construction, shall be completed and doing a passenger traffic to that place on July 16, 1906, for the purpose of ascertaining the names and qualifications of all persons who desire to enter, settle upon, or acquire title to any of said ceded lands under the homestead laws.

To obtain registration for the purpose of making a homestead entry of any of said ceded lands each applicant will be required to show himself duly qualified under the law to make such entry, and this showing must be made by the presentation of a sworn application for registration executed on a blank furnished by the Commissioner of the General Land Office which can be obtained only at the time and places of registration herein mentioned, and each person registering must give the registering officer such appropriate matters of description and identification as will protect the applicant and the Government against any attempted impersonation.

Registration can not be affected through the use of the mails or the employment of an agent, excepting that honorably discharged soldiers and sailors entitled to the benefits of Section twenty-three hundred

Opening of lands to entry.
Vol. 33, p. 1021.
Acte, p. 849.

Date of opening.

Time of opening extended to August 15, 1906.

Acte, p. 825.

Ceded lands open to settlement.
Vol. 33, p. 1020.

Places of registration.

Provided.
Big Horn Railroad.

Applicants.

Restrictions on registration.

R. S., sec. 2304,
p. 422.

Vol 31, p. 847.

and four of the Revised Statutes of the United States, as amended by the Act of Congress approved March one, nineteen hundred and one (31 Stat., 847), may present their applications for registration for the purpose of making a homestead entry and make due proof of their qualifications through an agent of their own selection having a duly executed power of attorney on a blank furnished by the Commissioner of the General Land Office, but no person will be permitted to act as agent for more than one soldier or sailor. No person will be permitted to register more than once, nor will he be permitted to register in any other than his true name.

Certificate of
registration.

Each applicant who shows himself duly qualified will be registered and given a non-transferable certificate to that effect, and each person holding such certificate will be entitled to go upon any ceded lands subject to entry hereunder and examine such lands, but the only purpose for which he can go upon and examine such lands is to enable him later on, as herein provided, to understandingly select the lands for which he may make entry.

Drawings.

The order in which during the first sixty days following the opening the registered applicants will be permitted to make homestead entry of lands opened hereunder will be determined by a drawing for the district, held at Lander, Wyoming, commencing at nine o'clock a. m., Saturday, August 4, 1906, and continuing for such period necessary to complete the same. The drawing will be had under the supervision and immediate observance of a committee of three persons whose integrity is such as to make their control of the drawing a guaranty of its fairness. The members of this committee will be appointed by the Secretary of the Interior, who will prescribe suitable compensation for their services. Preparatory to this drawing the registration officers will, at the time of registering each applicant who shows himself duly qualified, make out a card which must be signed by the applicant, and give such a description of the applicant as will enable the local land officers to thereafter identify him. This card will be subsequently sealed in a separate envelope which will bear no other distinguishing label or mark than such as may be necessary to show that it is to go into the drawing. These envelopes will be carefully preserved and remain sealed until opened in the course of the drawing herein provided. When the registration is completed all of these sealed envelopes will be brought together at the place of drawing and turned over to the committee in charge of the drawing who, in such manner as in their judgment will be attended with entire fairness and equality of opportunity, shall proceed to draw out and open the separate envelopes and to give to each inclosed card a number in the order in which the envelope containing the same is drawn. The result of the drawing will be certified to the officers of the district and will determine the order in which the applicants may make homestead entry of said lands and settlement thereon.

Notices.

Notices of the drawing, stating the name of each applicant and the number assigned to him by the drawing, will be posted each day at the place of the drawing, and each applicant will be notified of his number and the day upon which he must make his entry, by a postal card mailed to him at the address given by him at the time of the registration. The result of each day's drawing will also be given to the press and published as a matter of news. Applications for homestead entry during the sixty days following the opening can be made only by registered applicants and in the order established by the drawing.

Applications,
Post, p. 2222.

Commencing August fifteenth, nineteen hundred and six, at nine o'clock a. m., the applications of those persons drawing numbers 1 to 100, inclusive, entitling them to make homestead entries, must be

presented at the land office at Lander, Wyoming, in the land district in which the said lands are situated and will be considered in their numerical order during the first day, and the applications of those drawing numbers 101 to 200, inclusive, entitling them to make homestead entries, must be presented and will be considered in their numerical order during the second day, and so on, Sundays excluded, at the rate of 100 such applications per day until and including August twenty-fifth, nineteen hundred and six; on and after August twenty-seventh, nineteen hundred and six, such applications will be considered in like manner at the rate of 120 per day, Sundays excluded, until and including September sixth, nineteen hundred and six; on and after September seventh, nineteen hundred and six, such applications will be considered at the rate of 140 per day, Sundays excluded, until and including September eighteenth, nineteen hundred and six; on and after September nineteenth, nineteen hundred and six, such applications will be considered at the rate of 160 per day, Sundays excluded, until and including September twenty-ninth, nineteen hundred and six; and on and after October one, nineteen hundred and six, such applications will be considered at the rate of 170 per day, Sundays excluded, until and including October thirteenth, nineteen hundred and six, the expiration of the sixty day period.

If any applicant fails to appear and present his application to make a homestead entry, when the number assigned to him by the drawing is reached, his application to enter will be passed until after the other applications assigned to that day have been disposed of when he will, on that day be given another opportunity to make entry, and if he fails to do so he will be deemed to have abandoned his right to make entry under such drawing.

Failure to present.

To obtain the allowance of a homestead entry each applicant will personally present the certificate of registration theretofore issued to him, together with a regular homestead application and the necessary accompanying proofs, together with the regular land office fees, but an honorably discharged soldier or sailor may file his declaratory statement through his agent, who can represent but one soldier or sailor as in the matter of registration.

Presentation of registration certificate.

The production of the certificate of registration will be dispensed with only upon satisfactory proof of its loss or destruction. If, at the time of considering the regular application to enter, it appears that the applicant is disqualified from making homestead entry on these lands his application will be rejected notwithstanding his prior registration. If any applicant shall register more than once hereunder or in any other than his true name, or shall transfer his registration certificate; he will thereby lose all the benefits of the registration and drawing herein provided for and will be precluded from entering or settling upon any of said lands during the first sixty days following the opening.

Entries.

Persons who make homestead entries for any of the ceded lands within two years after the opening of the same to entry shall pay one dollar and fifty cents per acre for the lands embraced in their entries and for all of the ceded lands thereafter entered under the homestead laws the sum of one dollar and twenty-five cents per acre shall be paid, payment in all cases to be made as follows:

Price.

Fifty cents per acre at the time of making entry and twenty-five cents per acre each year thereafter until the price per acre hereinbefore provided shall have been fully paid. Upon all entries the usual fees and commissions shall be paid as provided for in the homestead laws on lands the price of which is one dollar and twenty-five cents per acre.

Payments.

Fees.

Forfeiture.

In case any entryman fails to make the payments hereinbefore provided for under homestead entries within the time stated, the right of said entryman to the lands covered by his or her entry shall be forfeited and the entry will be canceled.

Townsites.

Any person or persons desiring to found, or to suggest establishing a townsite upon any of the said lands, at any point may, at any time before the opening herein provided for, file in the land office a written application to that effect, describing by legal subdivisions the lands intended to be affected, and stating fully and under oath the necessity or propriety of founding or establishing a town at that place. The local officers will forthwith transmit said petition to the Commissioner of the General Land Office with their recommendations in the premises. Such Commissioner, if he believes the public interests will be subserved thereby will, if the Secretary of the Interior approve thereof, issue an order withdrawing the lands described in such petition, or any portion thereof, from homestead entry and settlement and directing that the same be held for the time being for disposal under the townsite laws of the United States in such manner as the Secretary of the Interior may from time to time direct; and, if at any time after such withdrawal has been made it is determined that the lands so withdrawn are not needed for townsite purposes, they may be released from such withdrawal and then disposed of under the general provisions of the homestead laws in the manner prescribed herein.

Mineral locations.

The lands entered under the townsite, coal and mineral land laws shall be paid for in amount and manner provided by the laws under which they are entered, and unless entry and payment under mineral locations shall be made within three years from date of location all rights thereunder shall cease.

Entry of undisposed lands
Vol. 33, p. 1016.

All persons are especially admonished that under said act of Congress approved March three, nineteen hundred and five, it is provided that no person shall be permitted to settle upon, occupy, or enter any of said lands except in the manner prescribed in this proclamation until after the expiration of sixty days from the time when the same are opened to settlement and entry. After the expiration of said period of sixty days, but not before, as herein prescribed, any of said lands remaining undisposed of may be settled upon, occupied, entered, or located under the general provisions of the homestead, townsite, coal and mineral land laws of the United States in like manner as if the manner affecting such settlement, occupancy, entry, and location had not been prescribed herein in obedience to law.

Regulations.

The Secretary of the Interior shall prescribe all needful rules and regulations necessary to carry into full effect the opening herein provided for.

IN TESTIMONY 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 2nd day of June in the year of our Lord one thousand nine hundred and six, and of the Independence of the United States the one hundred and thirtieth.

[SEAL.]

THEODORE ROOSEVELT

By the President:
ELIHU ROOT
Secretary of State.