

A PROCLAMATION.

Whereas by the Act approved March 2, 1907 (34 Stat., 1230), the Congress directed that all that part of the Rosebud Indian Reservation lying south of the Big White river, and east of Range 25 west, of the Sixth Principal Meridian, except all Sections 16 and 36, which were granted to the state of South Dakota, and excepting also such parts thereof as have been or shall hereafter be either allotted to Indians, selected by said state, or reserved for townsite purposes, be disposed of under the general provisions of the homestead laws of the United States, and be opened to settlement, entry and occupation only in such manner as the President might prescribe by proclamation;

Rosebud Indian Reservation, S. Dak. Preamble. Vol. 34, p. 1230.

Now, therefore, I, Theodore Roosevelt, President of the United States, by virtue of the power and authority vested in me by said Act of Congress, do hereby prescribe, proclaim and make known that all of said lands which shall remain unallotted to Indians, unselected by said state and unreserved for townsites, on the first day of March, A. D. 1909, will be opened to settlement and entry, under the general provisions of the homestead laws, and of said Act of Congress, in the manner herein prescribed as follows, and not otherwise:

Opening lands for settlement Mar. 1, 1909.

Date of Opening.

1. Any person who is qualified to make a homestead entry may, between 9:00 o'clock a. m., on Monday, October 5, and 4:30 o'clock p. m., on Saturday October 17, 1908, and not thereafter, present to James W. Witten, Superintendent of the Opening, or to some person acting for him, at either the town of Dallas or the town of Gregory, in Gregory county, South Dakota, either by ordinary mail or otherwise, but not by registered mail, a sealed envelope which bears no distinctive marks indicating the name of the applicant, and which contains his application for registration, hereinafter prescribed.

Registration.

2. All applications for registration must be made on forms prescribed and furnished by the General Land Office, and must show that the applicant is qualified to make homestead entry, and state his age, height, weight and postoffice address; and be sworn to at one of the following named towns, Chamberlain, Dallas, Gregory or Presho, in the state of South Dakota, or O'Neill or Valentine, in the state of Nebraska, before a United States Commissioner, Judge or Clerk of a Court of Record, or a Notary Public, authorized under the laws of said states to administer oaths in said towns.

Applications.

3. Any person filing more than one affidavit, or in any other than his true name, shall be denied the privilege he might have otherwise secured, under this drawing, except, that any honorably discharged soldier or sailor entitled to the benefits of Section 2304 of the Revised Statutes of the United States, as amended by the Act of March 1, 1901 (31 Stat., 847), may be represented by an agent of his own selection, for the purpose of executing and presenting his application for registration, due authority therefor being shown, but no person shall be permitted to act as agent for more than one such soldier or sailor, and the agents of all soldiers and sailors must execute the affidavits required of them at one of the towns named above, and present the same in the same manner in which persons who are not soldiers are required to present their applications.

Forfeiture.

Soldiers and sailors' rights not affected. R. S. sec. 2304, p. 422. Vol. 31, p. 847.

Envelopes showing, on the outside, distinctive marks of any character, indicating the name of the person whose application is inclosed therein, shall be eliminated from the drawing.

4. Beginning at 10:00 a. m., on October 19, 1908, and continuing thereafter as long as may be necessary, there shall be impartially

Drawings.

taken and drawn from the whole number of envelopes so presented, such number of them as may be necessary to carry into effect the provisions of this Proclamation; and the applications for registration contained in the envelopes so drawn shall, when they are correct in form and execution, be numbered serially in the order in which they are drawn, and the number thus assigned shall fix and control the order in which applications to enter may be presented, after the lands shall become subject to entry.

Notice to successful applicants.

5. Immediately after the drawing, a list of the successful applicants, showing the number assigned to each of them, will be conspicuously posted at the place of registration, and furnished to the press for publication as a matter of news, and a notice will be promptly mailed to each person whose name is drawn and numbered, informing him of the number assigned to him, and of the date on which he must apply to enter, and later he will, in due time, be furnished with a copy of the regulations controlling the method of entry, and be supplied with a map showing the lands subject to entry. The notice will be mailed to the postoffice address given by the applicant in his application for registration, except in cases where the applicant requests otherwise, and any applicant who changes his postoffice address before November 1, 1908, should, at once, inform the Superintendent of the Opening of the change.

Presentation of applications to enter.

6. Commencing at 9:00 a. m., on March 1, 1909, and continuing thereafter on such dates as may be fixed by the Secretary of the Interior, persons holding numbers assigned to them under this Proclamation will be permitted to present their applications to enter (or their declaratory statements, in cases where the applicant is entitled to make entry as a former soldier), in the order in which their applications for registration were drawn and numbered.

Forfeiture.

7. If any person fails to apply to enter or to file a declaratory statement, if he is entitled to do so, as a former soldier, on the day assigned to him for that purpose, or, if he presents more than one application for registration, or presents an application in any other than his true name, he will forfeit his right to enter any of said lands prior to September 1, 1909.

Occupancy.

8. None of these lands shall become subject to settlement or entry prior to September 1, 1909, except in the manner prescribed herein, and all persons are admonished not to make any settlement prior to that date, on any lands not covered by entries made by them under this Proclamation.

Regulations.

9. The Secretary of the Interior shall make and publish such rules and regulations as may be necessary and proper to carry into full force and effect the manner of settlement, occupation and entry, as herein provided for, and he shall, prior to the first day of March, reserve from said land such tracts for townsite purposes as, in his opinion, may be required for the future public interests.

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 24th day of August in the year of our Lord one thousand nine hundred and eight, and of the Independence of the United States the one hundred and thirty-third.

THEODORE ROOSEVELT

By the President:

ALVEY A. ADEE

*Acting Secretary of State.*