

1916 (Thirty-ninth Statutes at Large, page 218): *Provided*, That no sales hereunder shall be made for less than \$2.50 per acre, and the appraised value of the timber on the land, nor until such lands shall have been subject to homestead entry for a period of two years: *Provided further*, That the proceeds of such sales shall be applied in the manner prescribed in said Act of June 9, 1916 (Thirty-ninth Statutes at Large, page 218).

Approved, May 25, 1920.

Proviso.
Price, etc., conditions.

Disposition of proceeds.
Vol. 39, p. 222.

CHAP. 201.—An Act Authorizing the Secretary of War to turn over to the Postmaster General without charge therefor a certain building, or buildings, now located at Watertown, New York.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized in his discretion to turn over to the Postmaster General without charge therefor such buildings or parts thereof as may be desired by the Postmaster General and now located at Watertown, New York; and the Postmaster General is hereby authorized to cause said buildings or parts thereof to be removed to Washington, District of Columbia, and reassembled or reconstructed for the use of the Post Office Department on the tract of land adjoining the mail-equipment shops and which it proposes to purchase.

Approved, May 25, 1920.

May 25, 1920.
[H. R. 13576.]
[Public, No. 221.]

Watertown, N. Y.
Army buildings at, to be turned over to Postmaster General.

Use described.

CHAP. 202.—Joint Resolution Authorizing the Secretary of War to loan to Paul E. Slocumb Post, Numbered Eighty-five, Grand Army of the Republic, Bloomington, Indiana, necessary tents and cots for use at the State encampment to be held at said city May 25, 26, and 27, 1920.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to loan, in his discretion, to the Paul E. Slocumb Post, Numbered Eighty-five, Grand Army of the Republic, Bloomington, in the State encampment to be held at Bloomington, Indiana, May 25, 26, and 27, 1920, the necessary tents and cots as may be agreed upon by said post and the War Department: *Provided*, That no expense shall be caused the United States Government by the delivery and return of said property, the same to be delivered to the commander of said Paul E. Slocumb Post at such time as may be agreed upon by the Secretary of War and the commander of said post: *Provided further*, That the Secretary of War, before delivering said equipment, shall take from the commander of said post a good and sufficient security for the safe return of said property in good order and condition, and the whole to be without expense to the United States Government.

Approved, May 25, 1920.

May 25, 1920.
[H. J. Res. 354.]
[Pub. Res., No. 43.]

Grand Army State encampment.
Loan of tents to Paul E. Slocumb Post, Bloomington, Ind., for.

Provisos.
No expense authorized.

Bond for safe return.

CHAP. 203.—An Act Authorizing certain tribes of Indians to submit claims to the Court of Claims, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all claims of whatsoever nature which the Klamath and Moadac Tribes of Indians and the Yahooskin Band of Snake Indians, parties to the treaty with the United States, concluded October 14, 1864 (Sixteenth Statutes at Large, page 707), may have against the United States, which have

May 26, 1920.
[H. R. 5163.]
[Public, No. 222.]

Klamath, etc., Indians, Oreg.
All claims of, referred to Court of Claims.

not heretofore been determined by the Court of Claims, may be submitted to the Court of Claims, with the right of appeal to the Supreme Court of the United States by either party, for determination of the amount, if any, due said Indians from the United States under any treaties, agreements, or laws of Congress, or for the misappropriation of any of the funds of said Indians, or for the failure of the United States to pay said Indians any money or other property due; and jurisdiction is hereby conferred upon the Court of Claims, with the right of either party to appeal to the Supreme Court of the United States, to hear and determine all legal and equitable claims, if any, of said Indians, against the United States, and to enter judgment thereon.

Jurisdiction and appeal. Sec. 2. That if any claim or claims be submitted to said courts they shall settle the rights therein, both legal and equitable, of each and all the parties thereto notwithstanding lapse of time or statutes of limitation, and any payment which may have been made upon any claim so submitted shall not be pleaded as an estoppel, but may be pleaded as an offset in such suits or actions, and the United States shall be allowed credit for all sums, including gratuities, heretofore paid or expended for the benefit of said Indians or any band thereof. The claim or claims of the Indians, or band or bands thereof, may be presented separately or jointly by petition, subject, however, to amendment; suit to be filed within five years after the passage of this Act, and such action shall make the petitioner or petitioners party plaintiff or plaintiffs and the United States party defendant; and any band or bands of said Indians, or any other tribe or band of Indians the court may deem necessary to a final determination of such suit or suits, may be joined therein as the court may order. Such petition, which shall be verified by the attorney or attorneys employed by said Indians, or any bands thereof, shall set forth all the facts on which the claims for recovery are based, and said petition shall be signed by the attorney or attorneys employed, and no other verification shall be necessary. Official letters, papers, documents, and public records, or certified copies thereof, may be used in evidence, and the departments of the Government shall give access to the attorney or attorneys of said Indians or bands thereof to such treaties, papers, correspondence, or records as may be needed by the attorney or attorneys for said Indians or bands of Indians.

Statutes of limitation not a bar.

Offsets, etc.

Procedure, etc.

Evidence admitted.

Damages restricted. Sec. 3. That if it be determined by the Court of Claims in the said suit herein authorized that the United States Government has wrongfully appropriated any lands belonging to the said Indians, damages therefor shall be confined to the value of the said land at the time of said appropriation, and the decree of the Court of Claims with reference thereto, when satisfied, shall annul and cancel all claim and title of the said Indians or any other tribe or band of Indians in and to said lands, as well as all damages for all wrongs and injuries, if any, committed by the Government of the United States with reference thereto.

Effect of decree.

Attorneys' fees. Sec. 4. That upon the final determination of such suit, cause, or action, the Court of Claims shall decree such fees as it shall find reasonable to be paid the attorney or attorneys employed therein by said Indians or bands of Indians, under contracts negotiated and approved as provided by existing law, and in no case shall the fee decreed by said Court of Claims be in excess of the amounts stipulated in the contracts approved by the Commissioner of Indian Affairs and the Secretary of the Interior, and no attorney shall have a right to represent the said Indians or any band thereof in any suit, cause, or action under the provisions of this Act until his contract shall have been approved as herein provided. The fees decreed by the court to the attorney or attorneys of record shall be paid out of any sum or sums recovered in such suits or actions, and no part of such fee shall

Payment restricted.

be taken from any money in the Treasury of the United States belonging to such Indians or bands of Indians in whose behalf the suit is brought unless specifically authorized in the contract approved by the Commissioner of Indian Affairs and the Secretary of the Interior as herein provided: *Provided*, That in no case shall the fees decreed by said court amount to more than 10 per centum of the amount of the judgment recovered in such cause.

Proviso.
Maximum fee.

Approved, May 26, 1920.

CHAP. 204.—An Act To amend an Act entitled "An Act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1914," approved June 30, 1913.

May 26, 1920.
[H. R. 11024.]
[Public, No. 223.]

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 pay out of any funds of the Creek, Cherokee, Choctaw, Chickasaw, and Seminole Nations on deposit in the Treasury of the United States, the proportionate cost of street paving, construction of sidewalks and sewers abutting on unsold lots belonging to any of said tribes and as may be properly chargeable against said town lots, said payments to be made upon submission of proof to said Secretary of the Interior showing the entire cost of the said street paving, sidewalk, and sewer construction and that said improvement was duly authorized and undertaken in accordance with law: *Provided*, That the Secretary of the Interior shall be satisfied that the charges made are reasonable and that the lots belonging to the above-mentioned tribes against which the charges were made have been enhanced in value by said improvements to not less than the amount of said charges.

Five Civilized Tribes,
Okla.
Allowance of street improvements, etc., in town sites, from funds of.

Sewer construction added.
Vol. 38, p. 96, amended.

Proviso.
Condition.

Approved, May 26, 1920.

CHAP. 205.—An Act To convey to the Big Rock Stone and Construction Company a portion of the military reservation of Fort Logan H. Roots, in the State of Arkansas.

May 26, 1920.
[H. R. 13274.]
[Public, No. 224.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed, upon the payment by the Big Rock Stone and Construction Company, a corporation existing under the laws of the State of Arkansas, of such sum as he may determine to be the reasonable value of the premises (but not less than \$150 per acre), to convey to the said company the following-described portion of the military reservation of Fort Logan H. Roots, near the city of Little Rock, State of Arkansas, to wit:

Fort Logan H.
Roots, Ark.
Sale of portion of lands, to Big Rock Stone and Construction Company.

Beginning at the southeast corner of a two-acre tract purchased from the United States by the Big Rock Stone and Construction Company, approved by Act of Congress August 14, 1912; thence north one degree eighteen minutes east four hundred and thirty-seven feet to the southeast corner of an eighteen and seventy-five one-hundredths acre tract purchased from the United States by the Big Rock Stone and Construction Company, approved by Act of Congress August 14, 1912; thence south fifty-four degrees thirty minutes west along boundary line two hundred and fifty feet to the southwest corner of said eighteen and seventy-five one-hundredths acre tract, this point being also the northeast corner of the two-acre tract above mentioned; thence south thirty-three degrees thirty-four minutes east three hundred and fifty feet along boundary of said two-acre tract to point of beginning, same being a triangular parcel of

Description.