CHAP. CLVI. — *An Act to authorize the Commissioners of Claims to appoint special Commissioners to take Testimony, and for other Purposes.*

May 11, 1872.

[Extended. See 1873, ch. 236. *Post*, p. 577.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the commissioners of claims shall have authority to appoint special commissioners to take testimony, to be used in cases pending before them, who shall have authority to administer oaths and affirmations, and to take the depositions of witnesses: *Provided*, The claimants shall pay the fees of such special commissioners for taking the depositions of witnesses called by them; but such fees shall in no case exceed ten cents per folio if the claim is less than one thousand dollars.

Commissioners of claims may appoint special commissioners to take testimony in cases before them.

Fees, and who to pay.

SEC. 2. That any person who shall knowingly and wilfully swear falsely before the said commissioners of claims, or either of them, or before any special commissioner appointed by virtue of this act, in any matter or claim pending before said commissioners, shall be deemed guilty of perjury, and, on conviction thereof, shall be punished in the same manner prescribed by law in cases of wilful and corrupt perjury.

Knowingly, &c., swearing falsely before, &c., to be perjury, and how punished.

SEC. 3. That the commissioners of claims may appoint and employ agents, but not more than three at any time, whose duty it shall be, under the direction and authority of said commissioners, to investigate claims pending before them, to procure evidence, to secure the attendance of witnesses on behalf of the government, and to examine the same, and to cross-examine the witnesses produced by claimants, and to perform such other duties as may be required of them by said commissioners, who may discharge them at any time. The said agents shall be allowed their actual and necessary travelling expenses; the expenses paid out in investigating claims, procuring witnesses, and taking testimony, and six dollars per day while employed in the discharge of their duties; of all which, at the end of each month, they shall make a statement in detail, specifying the amounts by them paid out, to whom paid, when and where and for what purpose, and the number of days employed in their duties, and shall transmit the same, duly certified, to the commissioners. But no claim where the amount exceeds ten thousand dollars shall be examined, decided, and reported by the commissioners to Congress, except the testimony on behalf of the claimant in such case shall have been taken orally before the commissioners or some one of them personally, or shall have been taken previous to the third day of March, eighteen hundred and seventy-one, to be used in the court of claims or before some department of the government.

Commissioners of claims may employ agents to investigate claims, &c.

Pay and expenses of such agents.

Detailed statement, &c.

No claim of over $10,000 to be reported by commissioners to Congress, except, &c.

SEC. 4. That the commissioners may employ three additional clerks at a salary of one thousand two hundred dollars per year; and may employ, at the usual rates, such assistance for the short-hand reporter as may be necessary, from time to time, in reporting, copying, and preparing for Congress the oral testimony taken in cases before the said commissioners.

Additional clerks to commissioners and aid to short-hand reporter, and their pay.

SEC. 5. That all the expenses incurred under the provisions of this act shall be allowed and paid in the same manner, and out of the same appropriation provided for in the act organizing the said commissioners of claims, being an act entitled "An act making appropriations for the support of the army for the year ending June thirtieth, eighteen hundred and seventy-two, and for other purposes," approved March third, eighteen hundred and seventy-one.

Expenses under this act how provided for. 1871, ch. 116, § 6. Vol. xvi. p. 525.

SEC. 6. That it shall be the duty of the said commissioners of claims to receive, examine, and consider the justice and validity of such claims as shall be brought before them of those citizens who remained loyal adherents to the cause and government of the United States during the war, for stores or supplies taken or furnished during the rebellion for the use of the navy of the United States, in the same manner and with

Commissioners to consider the claims of loyal citizens for supplies taken, &c., during the rebellion, for the use of the navy.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

the like effect as they are now required by law to do in the case of stores or supplies taken or furnished for the use of the army.

Approved, May 11, 1872.

May 11, 1872.

CHAP. CLVII. — *An Act to carry out certain Provisions of the Cherokee Treaty of eighteen hundred and sixty-six, and for the Relief of Settlers on the Cherokee Lands in the State of Kansas.*

Preamble. Vol. xiv. p. 799.

Whereas in order that certain provisions of the treaty of July nineteenth, eighteen hundred and sixty-six, between the United States and the Cherokee nation may be rendered clearer, and made more satisfactory to settlers upon the lands known as the "Cherokee strip," in the State of Kansas, said settlers having moved thereon since the date of said treaty, and for the purpose of facilitating the sale of said lands: Therefore,

Certain Cherokee lands in Kansas to be surveyed and offered for sale.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the strip of land lying west of the Neosho river, and included in the State of Kansas, conveyed to the Cherokee nation of Indians by the United States, and now belonging to said nation, shall be surveyed, under the direction of the commissioner of the general land office, in the same manner as the public lands of the United States are surveyed, and shall be by him offered for

Price.

sale under the provisions and restrictions of this act; and all the lands in said tract lying east of the Arkansas river shall be sold at two dollars per acre, and all lands in said tract lying west of said river shall be sold at one dollar and fifty cents per acre, except as hereinafter provided: *Provided*,

Fractions of less than forty acres.

That where there is a fraction of land less than forty acres, the same shall be sold with the contiguous tract, expense of survey to be paid out of the proceeds of said land in accordance with the treaty of July ninth, eighteen hundred and sixty-six.

Heads of families, &c., settlers, &c., upon these lands may enter and purchase not over 160 acres.

Sec. 2. That each person being the head of a family or over twenty-one years of age who has made a bona-fide settlement and improvement upon any portion of said lands, and is now occupying the same, or, in case of his or her death, the heirs of such, or, if such heirs are minors, their guardians for them, shall be entitled to enter and purchase the lands so settled upon and occupied, not exceeding one hundred and sixty acres, at

Price and payment.

the price fixed in the first section of this act, payment for which shall be made at any time within one year from the date of the approval by the Secretary of the Interior of the acceptance of the provisions of this act, as provided for in the fifth section hereof; and all persons heads of families

Heads of families, &c., who may settle, &c., within one year.

or over twenty-one years of age who may settle upon said lands at any time within one year from the date of the passage of this act, may purchase the land so settled upon, not exceeding one hundred and sixty acres, at the price fixed in the first section of this act, and shall make payment therefor within one year from the date of said settlement: *Provided*,

Lands not sold within, &c., to be sold, on sealed bids, after, &c.

That all lands not sold under the foregoing provisions of this section, and all lands settled upon but unpaid for at the expiration of the limitation named in the foregoing provisions of this act, shall, unless such payment be suspended by reason of contest or appeal, be sold by the Secretary of the Interior, on sealed bids, after due advertisement, in tracts not exceeding one hundred and sixty acres, and at not less than the price fixed in the

Proof of settlement, entry and payment.

first section of this act: *Provided further*, That proof of settlement, entry, and payment shall be made at the land-office of the proper district, under such regulations as the commissioner of the general land office shall

Town-site laws made applicable.

prescribe: *And provided further*, That the town-site laws shall be, and hereby are, extended to and made applicable to said lands, subject to the

Public advertisement.

provisions of this act: *And provided further*, That the Secretary of the Interior may cause public advertisement to be made of the provisions of this act.

Certain Cherokee citizens,

Sec. 3. That any Cherokee citizen, or the heirs at law of such who had rights under the Cherokee laws to any portion of said lands, and