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overflows of adjoining farm lands, and make possible the continued and uninterrupted use of said railroad and said railroad bridge: Therefore,

Missouri, Kansas and Texas Railroad may restore South Canadian River to its original channel.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That said Missouri, Kansas and Texas Railway Company be, and it is hereby, authorized, at its sole expense, to restore the said river to its original channel, under and below said railroad bridge, and to that end to straighten and shorten the river above said bridge by excavating and constructing a

—location.

channel for the river, commencing at said bridge and extending thence across sections twenty-eight and twenty-nine of township nine north, of range fifteen east, to the South Canadian River, at or near the northwest corner of said section twenty-nine, and for that purpose the said railway company is authorized to enter upon lands adjacent to said railroad.

Damages to Indian occupants.

SEC. 2. That before said channel shall be excavated and constructed through any lands held by individual occupants according to the laws, customs, and usages of the Creek and Choctaw nations, full compensation shall be made to such occupants for all property to be taken or damaged by reason of the construction of said channel. In case of failure to make amicable settlements with any occupant, the railway company may file its petition in the United States court in the Indian Territory for the district in which the lands lie, reciting its failure to

—appointment of commission to appraise.

make such amicable settlement, and thereupon said court shall appoint a commission of three disinterested persons, having the qualifications of jurors in said court, to view the premises and appraise the damages to be sustained by such occupant, who, before entering upon their duties, shall take and subscribe before said courts or the clerk thereof an oath that they will faithfully and impartially discharge the duties imposed by their appointment, which oath, duly certified, shall be

—award.

returned with their award. The award of a majority of said commissioners shall be the award of the commission, and such award shall be

—exceptions to, etc.

filed within ten days after the appointment of said commission. Either party being dissatisfied with the award may file exceptions in said court thereto within ten days from the filing of the same, and a trial of the issues raised by such exceptions shall be had in said court as in other cases. If neither party files exceptions the railway company shall pay into court, before entering upon the land condemned, the amount of said award, together with all costs, assessed as in ordinary cases in

Proviso.
—commissioner's compensation, etc.
—work to commence on deposit to abide judgment.

said court: *Provided*, That said commissioners shall be allowed and paid four dollars per day, with mileage at five cents per mile. If either party files exceptions, then the railway company shall pay into court double the amount of the award to abide the judgment thereof, and may at once proceed with the construction of said channel.

Boundary line between creek and Choctaw nations to remain unchanged.

SEC. 3. That the boundary line between the Creek and Choctaw nations shall be and remain unchanged by reason of the work hereinbefore authorized to be done by said railway company.

Railroad's right to river not enlarged.

SEC. 4. That the Missouri, Kansas and Texas Railway Company by such condemnation proceedings and the construction of said channel, and the diversion of the river through same, shall have no other or further rights in and to said river than it now has.

Approved, June 27, 1898.

June 27, 1898.

CHAP. 503.—An Act To amend sections one and two of the Act of March third, eighteen hundred and eighty-seven, Twenty-fourth Statutes at Large, chapter three hundred and fifty-nine.

Court of Claims.
Suits by Government officers to recover fees for services.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section one of the Act of March third, eighteen hundred and eighty-seven, chapter three hundred and fifty-nine, second session of the Forty-ninth Congress, be

amended by adding thereto the following proviso, to wit: *Provided further*, That no suit against the Government of the United States, brought by any officer of the United States to recover fees for services alleged to have been performed for the United States, shall be allowed under this Act unless an account for said fees shall have been rendered and finally acted upon according to the provisions of the Act of July thirty-first, eighteen hundred and ninety-four (chapter one hundred and seventy-four, Twenty-eighth Statutes at Large, page one hundred and sixty-two), unless the proper accounting officer of the Treasury fails to finally act thereon within six months after the account is received in said office.

—filing of account necessary.
Chap. 359, vol. 24, p. 505, amended.
Post, p. 649.

Vol. 28, p. 206.

SEC. 2. That section two of the Act aforesaid, approved March third, eighteen hundred and eighty-seven, be, and the same is hereby, amended by adding thereto at the end thereof the following: "The jurisdiction hereby conferred upon the said circuit and district courts shall not extend to cases brought to recover fees, salary, or compensation for official services of officers of the United States or brought for such purpose by persons claiming as such officers or as assignees or legal representatives thereof."

—concurrent jurisdiction of United States Courts not to extend to.
Post, pp. 649, 650.

Approved, June 27, 1898.

CHAP. 504.—An Act To amend an Act entitled "An Act to establish a Court of Private Land Claims and to provide for the settlement of private land claims in certain States and Territories," approved March third, eighteen hundred and ninety-one, and the Act amendatory thereto, approved February twenty-first, eighteen hundred and ninety-three.

June 27, 1898.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section eighteen of an Act entitled "An Act to establish a Court of Private Land Claims and to provide for the settlement of private land claims in certain States and Territories," approved March third, eighteen hundred and ninety-one, as amended by the Act approved February twenty-first, eighteen hundred and ninety-three, be, and the same is hereby, further amended by striking out the words "within two years after the first day of December, eighteen hundred and ninety-two," as they stand in said Act as amended, and inserting in lieu thereof the words "before the fourth day of March, nineteen hundred and one," so that the first clause of said section shall read as follows, namely: "That all claims arising under either of the next two preceding sections of this Act shall be filed with the surveyor-general of the proper State or Territory before the fourth day of March, nineteen hundred and one, and no claim not so filed shall be valid."

Court of Private Land Claims.
Time extended to file claims under adverse possession.
Vol. 26, p. 862.

Vol. 27, p. 470, amended.

Approved, June 27, 1898.

CHAP. 517.—An Act For the protection of the people of the Indian Territory, and for other purposes.

June 28, 1898.

Post, pp. 770, 1099, 1233.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all criminal prosecutions in the Indian Territory against officials for embezzlement, bribery, and embracery the word "officer," when the same appears in the criminal laws heretofore extended over and put in force in said Territory, shall include all officers of the several tribes or nations of Indians in said Territory.

Indian Territory.
Protection of the people, etc.
"Officer," defined.

SEC. 2. That when in the progress of any civil suit, either in law or equity, pending in the United States court in any district in said Territory, it shall appear to the court that the property of any tribe is in any way affected by the issues being heard, said court is hereby authorized and required to make said tribe a party to said suit by service

Suits affecting tribal property, tribe to be made party.