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January 22, 1909.
[S. 604.]
[Private, No. 81.]

CHAP. 36.—An Act To reimburse Ulysses G. Winn for money erroneously paid into the Treasury of the United States.

Ulysses G. Winn.
Reimbursement.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, the sum of one hundred and thirty-two dollars and eighty cents, to reimburse Ulysses G. Winn for said amount, erroneously deposited by him while United States commissioner at Center and Stonewall, in the southern district of the Indian Territory, in the years nineteen hundred and nineteen hundred and one, and which were paid into the Treasury of the United States.

Approved, January 22, 1909.

January 23, 1909.
[S. 437.]
[Private, No. 82.]

CHAP. 38.—An Act For the relief of D. J. Holmes.

D. J. Holmes.
Reimbursement.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed, out of any money in the Treasury not otherwise appropriated, to pay to D. J. Holmes, of Portland, Oregon, the sum of five hundred dollars, in full satisfaction for moneys expended by said Holmes on preemption claim to the northwest quarter of section ten, in township six south, of range twelve east of the Willamette meridian, in The Dalles land district, State of Oregon, on which he filed declaratory statement numbered four thousand six hundred and eighty-eight, June first, eighteen hundred and eighty-five, and on which he settled May seventeenth, eighteen hundred and eighty-five, and from which he was ousted by the same being included by a certain survey in the Warm Springs Indian Reservation in said State.

Approved, January 23, 1909.

January 23, 1909.
[S. 2873.]
[Private, No. 83.]

CHAP. 39.—An Act For the relief of the owners of the steam lighter Climax and the cargo laden aboard thereof.

"Climax" steam lighter.
Claims for damages referred to court for southern district of New York.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the claims of the owners of the steam lighter Climax, injured and sunk by collision with the United States light-house tender Cactus on the afternoon of the twenty-fifth day of November, nineteen hundred and five, in the East River, off the borough of Manhattan, city of New York, State of New York, for and on account of the loss and injury to the said vessel and cargo and damages to the owners thereof, may be submitted to the United States district court for the southern district of New York, under and in compliance with the rules of the said court sitting as a court of admiralty, and said court shall have jurisdiction to hear and determine and to render judgment thereupon upon the same principles and measures of liability and damages in like cases in admiralty: *Provided, however*, That the investigation of the said claim shall be made upon the following basis:

Proviso.
Basis of investigation.
Ascertainment of facts.

First. The said court shall find the facts attending the loss and injury to the said steam lighter Climax and her cargo and damages to the owners thereof.

Determining the amount of damage.

Second. If it shall appear that the responsibility therefor rests with the said United States light-house tender Cactus the court shall then ascertain and determine the amounts which should be paid to the owners, respectively, of the Climax, and of her cargo, in order to reim-