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both of said tribes of Indians may have or claim to have against the United States, with the right of appeal to the Supreme Court of the United States by either party, for the determination of the amount, if any, due either of said tribes from the United States under any treaties or laws of Congress or the unexecuted stipulations of any treaties or for the misappropriation of any of the funds of either of said tribes for purposes not for their material benefit or for the failure of the United States to pay either of said tribes any money due. Such cause shall be commenced in the Court of Claims within one year after the passage of this Act; and in such cause the Omaha tribe of Indians shall be party plaintiff and the United States party defendant; and the petition shall be verified by the attorney employed by the said Omaha Indians, to prosecute their claims under this Act, under contract approved by the Commissioner of Indian Affairs and the Secretary of the Interior, as provided by law, upon information and belief as to the existence of such facts, and no other statements or verification shall be necessary. Upon the final determination of the cause the Court of Claims shall decree such fees as the court shall find to be reasonable to be paid to the attorney or attorneys employed by the said tribe of Indians, and the same shall be paid out of any sum or sums found due said Omaha tribe of Indians: *Provided*, That in no case shall the fees decreed by said court be in excess of the amount stipulated in the approved contract nor amount to more than ten per centum of the amount of the judgment recovered in such cause.

Time for commencement, etc.

Fees to attorneys.

Proviso.
Limit of fees.

Approved, June 22, 1910.

CHAP. 314.—An Act For the relief of William Frye White, owner of lots one hundred and three, one hundred and four, one hundred and five, and one hundred and six, square seven hundred and fifty-four, Washington, District of Columbia, with regard to assessment and payment of damages on account of changes of grade due to construction of the Union Station, District of Columbia.

June 22, 1910.
[S. 5071.]

[Public, No. 223.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That under and in accordance with the terms and provisions of the Act of Congress approved April twenty-second, nineteen hundred and four, entitled "An Act to provide for payment of damages on account of change of grade due to construction of the Union Station, in the District of Columbia," as amended by the Act of Congress approved June twenty-ninth, nineteen hundred and six, the commission appointed under said Act is hereby authorized and directed to meet and view the property known as lots one hundred and three, one hundred and four, one hundred and five and one hundred and six, in square seven hundred and fifty-four improved by premises numbered five hundred and twenty-one, five hundred and twenty-one and one-half, five hundred and twenty-three, five hundred and twenty-three and one-half, five hundred and twenty-five, five hundred and twenty-five and one-half, five hundred and twenty-seven, and five hundred and twenty-seven and one-half Second street northeast, city of Washington, District of Columbia, and hear testimony touching the damages to said property which have resulted from changes in the grade of streets, avenues, or alleys authorized by the Act of Congress approved February twenty-eighth, nineteen hundred and three, relating to the construction of a union railroad station in the District of Columbia, and to appraise and determine the amount of damages, if any, to which the owner of said property so affected by change of grade may be entitled.

District of Columbia. Changes of grade for Union Station. Vol. 33, p. 250. Vol. 34, p. 619. William Frye White Commission to determine claim of, for damages.

Vol. 32, p. 912.

SEC. 2. That if any of the parties interested, their personal representatives, or the Commissioners of the District of Columbia, shall be dissatisfied with the appraisement or award of said commission, the court shall, on motion of the parties so dissatisfied, direct the United States marshal to summon a jury of seven disinterested men, not

Jury to consider appeals.

related to any person in interest, to meet and view the said property, and to appraise and determine the amount of damages to which the owner of said property so affected by change of grade may be entitled, as provided in and by the aforesaid Act of Congress so amended as aforesaid.

Appropriation from District revenues.

SEC. 3. That a sufficient sum to pay the compensation and expenses of said commission and the compensation of said jurors, and the amount of any appraisement or award of damages made in favor of the owner of said property is hereby appropriated out of the revenues of the District of Columbia, and fifty per centum thereof shall be refunded to said District of Columbia by the United States.

Refund of one-half.

Approved, June 22, 1910.

June 22, 1910.
[S. 7285.]

[Public, No. 224.]

CHAP. 315.—An Act To pay funeral and transportation expenses of certain Bois Fort Indians.

Bois Fort Chippewa Indians, Minn.
Appropriation for burial expenses of two members.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, three hundred dollars, or so much thereof as may be necessary, to be immediately available, to enable the Commissioner of Indian Affairs to pay the expenses heretofore or hereafter incurred in connection with the death of A-ne-way-way-aush and Pay-baum-we-che-waish-kung, Chippewa Indians, belonging to the Bois Fort Reservation, in the State of Minnesota, funeral and transportation expenses from the city of Washington, District of Columbia, to their homes on said reservation, together with the transportation and expenses of Frank Pequette, Day-bway-wain-dung, and Mah-jish-kung, members of delegation, from Washington, District of Columbia, to their homes on said reservation.

Approved, June 22, 1910.

June 22, 1910.
[H. R. 48.]

[Public, No. 225.]

CHAP. 316.—An Act Granting to the Siletz Power and Manufacturing Company a right of way for a water ditch or canal through the Siletz Indian Reservation, in Oregon.

Siletz Indian Reservation, Oreg.
Siletz Power and Manufacturing Company granted right of way through.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the right of way is hereby granted, as hereinafter set forth, to the Siletz Power and Manufacturing Company, a corporation organized and existing under the laws of the State of Oregon, and its successors and assigns, for the construction, operation, and maintenance of a water ditch or canal through the lands of the United States in the Siletz Indian Reservation, in Oregon, beginning at a point on the right bank of the Siletz River, in lot thirteen of section nine, township ten south, range ten west of Willamette meridian; running thence in a northeasterly direction through said section and terminating at a point on the right bank of the Siletz River, in lot thirty of section four, township ten south, range ten west of Willamette meridian: *Provided*, That no rights hereunder shall attach until the Secretary of the Interior shall have determined to his satisfaction that the interests of the Indians and the public will be promoted thereby.

Proviso.
Condition.

Width.

SEC. 2. That the right of way hereby granted shall be fifty feet in width on each side of the central line of such water ditch or canal.

Secretary of the Interior to approve location.

SEC. 3. That before the grant of such right of way shall become effective a map showing the definite location of such water ditch or canal must be filed with and approved by the Secretary of the Interior, and the company shall make payment to the Secretary of the Interior for the benefit of the allottees of full compensation for such right of way through their allotments, including all damage to their improve-

Payment for damages.