

passes in front of the said rear range light structures shall be diverted by said counties from the north to the south side of the structures, crossing the creek by the bridge just mentioned; that the portion of the road west of the creek shall be constructed by said counties in accordance with specifications to be furnished by the Lighthouse Service; that the officers and employees of the Government of the United States shall have the right at all times to pass and repass over the said bridge and over the land transferred hereunder, by any route they may select, and to transport all necessary materials thereover; that the maintenance of the site and structures, the construction and maintenance of the bridge, and the diversion of the road, as hereinbefore provided for, shall be without expense to the United States: *Provided further*, That in the event of the discontinuance by said counties of the maintenance of said piece or parcel of land as an historic landmark or as a public park, or of the failure of the said counties to perform any of the terms and conditions preceding, the title to the premises hereunder transferred shall revert to the United States, and the \$2,000 paid by said counties shall be retained by the United States in consideration of the provisions hereof.

Reversion on non-compliance with condition.

Purchase price retained.

SEC. 2. That the United States hereby consents to the transfer of the premises by said counties to the State of Michigan, the State in such case to assume all the terms and conditions herein stipulated.

Transfer to State authorized.

SEC. 3. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, February 5, 1921.

CHAP. 36.—An Act Conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in the Osage civilization-fund claim of the Osage Nation of Indians against the United States.

February 6, 1921.
 [H. R. 6221.]
 [Public, No. 303.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the claim of the Osage Tribe of Indians against the United States for moneys due, arising out of the sale of Osage lands under the treaty of September 29, 1865, proclaimed January 21, 1867 (Fourteenth Statutes at Large, page 687), shall be submitted to the Court of Claims, with the right of appeal to the Supreme Court of the United States by either party, for the amount due or claimed to be due said tribe from the United States for the misappropriation of any of the funds of the said tribe, or for the failure of the United States to pay the tribe any money due under said treaty; and jurisdiction is hereby conferred upon the Court of Claims to hear and determine, as right and justice may require, and as upon a full and fair arbitration, the claim of said tribe against the United States, notwithstanding lapse of time or statutes of limitation, and also any legal or equitable defense, set-off, or counterclaim, including gratuities, which the United States may have against said Osage Tribe, and to enter judgment thereon: *Provided*, That if it be found that the United States Government has wrongfully appropriated any part or parcel of the lands or the funds of said Osage Tribe of Indians, judgment for damages in respect thereto, if any, shall be confined to the value of the land, or the amount of funds, at the time of said appropriation, together with interest at the rate of 5 per centum per annum thereon to the date of the decree of the Court of Claims rendered in respect thereto, less any legal or equitable set-offs or counterclaims, including gratuities, which the United States Government may have against the said Osage Tribe of Indians. The judgment of the Court of Claims in this matter rendered, when satisfied, shall annul and cancel all claims and title of said Osage Tribe in and to said lands and funds, as well as all other

Osage Indians.
 Claim for moneys due from sale of lands submitted to Court of Claims.
 Vol. 14, p. 687.

Jurisdiction conferred.

Proviso.
 Basis of damages.

Effect of judgment.

Procedure.

matters and things adjudicated and authorized to be adjudicated by the Court of Claims, as herein provided. Such action in the Court of Claims shall be presented by a single petition, to be filed within two years after the passage of this Act, making the United States party defendant, and shall set forth all the facts on which the Osage Tribe of Indians bases its claim for recovery; and the said petition may be verified by the authorized attorney or attorneys of the tribe, employed under contract approved by the Commissioner of Indian Affairs and the Secretary of the Interior, as provided by law, upon information or belief as to the existence of such facts, and no other statements or verifications shall be necessary. Official letters, papers, reports, and public records, or certified copies thereof, may be used as evidence. Whatever moneys may be found to be due the tribe under the provisions of this Act, less attorney's fees, shall be segregated and placed to the credit of the individual Indians: *Provided further*, That 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 tribe, and in no case shall such fees exceed the amount stipulated in the approved contract nor amount to more than 10 per centum of the amount and value of the judgment recorded in said cause.

Credit to individual Indians.

Restriction on fees to attorneys.

Approved, February 6, 1921.

February 7, 1921.

[H. J. Res. 440.]

[Pub. Res., No. 59.]

CHAP. 40.—Joint Resolution Directing the Secretary of War to cease enlisting men in the Regular Army of the United States, except in the case of those men who have already served one or more enlistments therein.

Army.
Enlistments to cease until number does not exceed 175,000.

Proviso.
Reenlistments permitted.

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 hereby is, directed and instructed to cease enlisting men in the Regular Army of the United States until the number of enlisted men shall not exceed one hundred and seventy-five thousand: *Provided, however*, That nothing contained herein shall be held to prohibit the reenlistment of those enlisted men who have had one or more enlistments and who desire to reenlist in the Regular Army.

F H GILLET

Speaker of the House of Representatives.

THOS. R. MARSHALL

Vice President of the United States and President of the Senate.

IN THE HOUSE OF REPRESENTATIVES

OF THE UNITED STATES.

February 5, 1921.

Passage by the House of Representatives.

The President of the United States having returned to the House of Representatives, in which it originated, the joint resolution (H. J. Res. 440) entitled "Joint resolution directing the Secretary of War to cease enlisting men in the Regular Army of the United States, except in the case of those men who have already served one or more enlistments therein," with his objections thereto, the House proceeded in pursuance of the Constitution to reconsider the same; and *Resolved*, That the said joint resolution pass, two-thirds of the House of Representatives agreeing to pass the same.

Attest:

WM TYLER PAGE

Clerk.

IN THE SENATE OF THE UNITED STATES.

February 5 (calendar day, February 7), 1921.

Passage by the Senate.

The Senate having proceeded, in pursuance of the Constitution, to reconsider the joint resolution (H. J. Res. 440) entitled "Joint Resolution directing the Secretary of War to cease enlisting men in the Regular Army of the United States, except in the case of those