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Commencement of increase.

SEC. 5. That the pension or increase in the rate of pension herein provided for, as to all persons whose names are now on the pension roll, or who are now in receipt of a pension under existing law, shall commence at the rates herein provided on the fourth day of the next month after the approval of this Act; and as to persons whose names are not now on the pension roll, or who are not now in receipt of a pension under existing law, but who may be entitled to a pension under the provisions of this Act, such pensions shall commence from the date of filing application therefor in the Bureau of Pensions after the approval of this Act in such form as may be prescribed by the Secretary of the Interior: *Provided*, That no one while an inmate of the United States Soldiers' Home, or of any National or State soldiers' home shall be entitled to, or be paid the increased rates provided in this Act; and the issue of a check in payment of a pension for which the execution and submission of a voucher was not required shall constitute payment in the event of the death of the pensioner on or after the last day of the period covered by such check, and it shall not be canceled, but shall become an asset of the estate of the deceased pensioner.

For new applicants.

Proviso.
Inmates of soldiers' homes not to receive increase.

Check to deceased pensioner an asset of the estate.

Restriction on paying attorneys.

SEC. 6. That no claim agent, attorney, or other person shall contract for, demand, receive, or retain a fee for services in preparing, presenting, or prosecuting claims for the increase of pension provided for in this Act; and no more than the sum of $10 shall be allowed for such services in other claims thereunder, which sum shall be payable only on the order of the Commissioner of Pensions; and any person who shall directly or indirectly otherwise contract for, demand, receive, or retain a fee for services in preparing, presenting, or prosecuting any claim under this Act, or shall wrongfully withhold from the pensioner or claimant the whole or any part of the pension allowed or due to such pensioner or claimant under this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall for each and every such offense be fined not exceeding $500 or be imprisoned not exceeding one year, or both, in the discretion of the court.

Punishment for violations.

Conflicting laws modified.

SEC. 7. That all Acts and parts of Acts in conflict with or inconsistent with the provisions of this Act are hereby modified and amended only so far and to the extent as herein specifically provided and stated: *Provided*, That the provisions of this Act shall in no way, manner, or substance modify, limit, or impair the soldier, sailor, or marine's right and title to the rate of $72 provided in the second section of the Act of May 1, 1920.

Proviso.
Rate for helpless, etc., not modified.
Vol. 41, p. 586.

Approved, July 3, 1926.

July 3, 1926.
[S. 2868.]
[Public, No. 455.]

CHAP. 734.—An Act Conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and render judgment in claims which the Crow Tribe of Indians may have against the United States, and for other purposes.

Crow Indians.
Claims of, growing out of Fort Laramie treaty, etc., submitted to Court of Claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction be and is hereby conferred upon the Court of Claims, with right of appeal to the Supreme Court of the United States by either party, notwithstanding lapse of time or statutes of limitations, to hear, adjudicate, and render judgment in any and all claims arising under or growing out of the treaty of Fort Laramie, dated September 17, 1851 (Second Kappler, page 594), between the United States and the Crow Indian Nation and the treaty dated May 7, 1868 (Fifteenth Statutes, page 649), between the United States and the Crow Indian Nation, or arising under or growing out of the Executive order dated July 2, 1873 (First Kappler, page 855),

Vol. 15, p. 649.

Vol. 18, p. 28

or any subsequent Executive order, the Act of Congress approved April 15, 1874 (Eighteenth Statutes, page 28), or any subsequent Act of Congress or agreement with said Crow Indian Nation, which said Crow Indian Nation or any branch thereof may have against the United States, which claims have not heretofore been determined and adjudicated on their merits by the Court of Claims or the Supreme Court of the United States; and jurisdiction is hereby conferred upon the said courts to determine whether or not any provision in any such treaty or Executive order has been violated or breached by any Act or Acts of Congress or by any treaty made by the United States with any other Indian tribe or nation, and if so, to render judgment for the damages resulting therefrom.

Jurisdiction conferred.

Time for filing.

SEC. 2. Any and all claims against the United States within the purview of this Act shall be forever barred unless suit be instituted or petition filed as herein provided in the Court of Claims within five years from the date of approval of this Act, and such suit shall make the Crow Nation or Tribe party plaintiff and the United States party defendant. The petition shall be verified by the attorney or attorneys employed to prosecute such claim or claims under contract with the Crow Tribe of Indians, approved by the Commissioner of Indian Affairs and the Secretary of the Interior; and said contract shall be executed in their behalf by a committee chosen by them under the direction and approval of the Commissioner of Indian Affairs and the Secretary of the Interior. Official letters, papers, documents, and records, or certified copies thereof, may be used in evidence, and the departments of the Government shall give access to the attorney or attorneys of said Crow Indian nation to such treaties, papers, correspondence, or records as may be needed by the attorney or attorneys of said Indian nation.

Verification, etc.

Evidence admitted.

Statutes of limitations not a bar.

SEC. 3. That if any claim or claims be submitted to said court it shall determine the rights of the parties thereto, notwithstanding lapse of time or statutes of limitation, and any payment which may have been made by the United States upon any claim so submitted shall not be pleaded as an estoppel, but may be pleaded as a set-off in any suit; and the United States shall be allowed credit subsequent to the date of any law, treaty, or agreement under which the claims arise for any sum or sums heretofore paid or expended for the benefit of said Indians, including gratuities.

Set-offs, etc.

Decision of court that money, etc., have been unlawfully taken, etc., confined to the value at time thereof, with interest allowed therefrom.

SEC. 4. That if it be determined by the court that the United States, in violation of the terms and provisions of any law, treaty, agreement, or Executive order, set forth and referred to in section 1, has unlawfully appropriated or disposed of any money or other property belonging to the Indians, or obtained lands from the Crow Indians for an inadequate consideration under mistake of fact, damages therefor shall be confined to the value of the money or other property at the time of such appropriation or disposal, together with interest thereon at 4 per centum per annum from the date thereof; and with reference to all claims which may be the subject matter of the suits herein authorized, the decree of the court shall be in full settlement of all damages, if any, committed by the Government of the United States and shall annul and cancel all claim, right, and title of the said Crow Indians in and to such money or other property.

Decree a full settlement, canceling further claims.

Attorneys' fees, etc., by decree of court.
Post, p. 922.

Sec. 5. Upon final determination of such suit or suits the Court of Claims shall have jurisdiction to fix and determine a reasonable fee, not to exceed 10 per centum of the recovery, together with all necessary and proper expenses incurred in preparation and prosecution of the suit, to be paid to the attorneys employed by the said

tribes or bands of Indians, or any of them, and the same shall be included in the decree and shall be paid out of any sum or sums found to be due said tribes.

Issue of process, etc.

SEC. 6. The Court of Claims shall have full authority by proper orders and process to bring in and make parties to such suit any other tribe or band of Indians deemed by it necessary or proper to the final determination of the matters in controversy.

Appearance of Attorney General directed.

SEC. 7. A copy of the petition shall, in such case, be served upon the Attorney General of the United States, and he, or some attorney from the Department of Justice to be designated by him, is hereby directed to appear and defend the interests of the United States in such case.

Amounts recovered to be deposited to credit of the Indians.

SEC. 8. The proceeds of all amounts, if any, recovered for said Indians shall be deposited in the Treasury of the United States to the credit of the Indians decreed by said court to be entitled thereto, and shall draw interest at the rate of 4 per centum per annum from the date of the judgment or decree. The costs incurred in any suit hereunder shall be taxed against the losing party; if against the United States such costs shall be included in the amount of the judgment or decree, and if against said Indians shall be paid by the Secretary of the Treasury out of the funds standing to their credit in the Treasury of the United States: *Provided*, That actual costs necessary to be incurred by the Crow Indians as required by the rules of court in the prosecution of this suit shall be paid out of the funds of the Crow Tribe in the Treasury of the United States.

Costs taxed against losing party.

Proviso.
Court expenses from tribal funds.

Approved, July 3, 1926.

July 3, 1926.
[H. R. 11123.]
[Public, No. 456.]

CHAP. 735.—An Act To establish a term of the United States Circuit Court of Appeals at Oklahoma City, Oklahoma.

Circuit Court of Appeals, Eighth Circuit. Term at Oklahoma City, Okla.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a term shall be held annually by the United States Circuit Court of Appeals for the Eighth Circuit at Oklahoma City, Oklahoma, at such times as may be fixed by such court: *Provided*, That suitable rooms and accommodations for holding court at Oklahoma City are furnished free of expense to the United States.

Proviso.
Rooms, etc.

Approved, July 3, 1926.

July 3, 1926.
[H. R. 9637.]
[Public, No. 457.]

CHAP. 736.—An Act To change the name of Dent Place northwest, between Forty-fourth Street and Foxhall Road, to Greenwich Parkway.

District of Columbia. Name of Dent Place NW., changed to Greenwich Parkway.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the name of the street not yet cut through, between Forty-fourth Street and Foxhall Road, but now on record as Dent Place northwest, be, and the same is hereby, changed to Greenwich Parkway, and the surveyor of the District of Columbia is hereby directed to enter such change on the records of his office.

Approved July 3, 1926.

July 3, 1926.
[H. R. 6728.]
[Public, No. 458.]

CHAP. 737.—An Act To regulate in the District of Columbia the traffic in, sale, and use of milk bottles, cans, crates, and other containers of milk and cream, to prevent fraud and deception, and for other purposes.

District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, All persons, firms,