

February 10, 1920.
[H. R. 10701.]
[Public, No. 134.]

Waccamaw River,
Whiteville Lumber
Company may bridge,
Old Dock, N. C.

Construction.
Vol. 34, p. 84.

Amendment.

CHAP. 65.—An Act Granting the consent of Congress to the Whiteville Lumber Company, Goldsboro, North Carolina, to construct a bridge across the Waccamaw River at or near Old Dock, County of Columbus, North Carolina.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Whiteville Lumber Company, Goldsboro, North Carolina, and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Waccamaw River at a point suitable to the interest of navigation, at or near Old Dock, in the County of Columbus, or adjacent thereto, in the State of North Carolina, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, February 10, 1920.

February 11, 1920.
[H. R. 348.]
[Public, No. 135.]

Ochoco National
Forest, Oreg.
Lands added to.

Description.

CHAP. 67.—An Act To add certain lands to the Ochoco National Forest, Oregon.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following described lands be, and the same are hereby, included in and made a part of the Ochoco National Forest, Oregon, subject to all prior valid adverse rights, and that said lands shall hereafter be subject to all laws affecting national forests: Sections twenty-seven and thirty-four, township seventeen south, range twenty-one east, sections three and ten, and the east half of section nine, township eighteen south, range twenty-one east, all of Willamette meridian and base.

Approved, February 11, 1920.

February 11, 1920.
[H. R. 4382.]
[Public, No. 136.]

Fort Berthold, Indi-
an Reservation, N.
Dak.
Preamble.

Indians of, may sub-
mit all undetermined
claims to Court of
Claims.

Jurisdiction con-
ferred.
Appeal to Supreme
Court.

CHAP. 68.—An Act To confer on the Court of Claims jurisdiction to determine the respective rights of and differences between the Fort Berthold Indians and the Government of the United States.

Whereas the Indians of the Fort Berthold Indian Reservation in the State of North Dakota, including the tribes known as the Arickarees, the Gros Ventres, and the Mandans, and the individual members of such tribes make claim against the United States on account of various treaty provisions which, it is alleged, have not been complied with, and on account of various encroachments upon the appropriation by said Government of territory of said tribes and Indians: Therefore

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all claims of whatsoever nature which any or all of the tribes of Indians of the Fort Berthold Reservation, North Dakota, may have against the United States, which have not heretofore been determined by the Court of Claims, may be submitted to the Court of Claims, with the right of appeal to the Supreme Court of the United States by either party, for determination of the amount, if any, due said tribes from the United States under any treaties, agreements, or laws of Congress, or for the misappropriation of any of the funds of said tribes, or for the failure of the United States to pay said tribe any money or other property due; and jurisdiction is hereby conferred upon the Court of Claims, with the right of either party to appeal to the Supreme Court of the United States to hear and determine all legal and equitable claims, if any, of said tribe against the United States, and to enter judgment thereon.

SEC. 2. That if any claim or claims be submitted to said courts, they shall settle the rights therein, both legal and equitable, of each and all the parties thereto, notwithstanding lapse of time or statutes of limitation, and any payment which may have been made upon any claim so submitted shall not be pleaded as an estoppel, but may be pleaded as an offset in such suits or actions, and the United States shall be allowed credit for all sums heretofore paid or expended for the benefit of said tribe or any band thereof. The claim or claims of the said tribes or band or bands thereof may be presented separately or jointly by petition, subject, however, to amendment, suit to be filed within five years after the passage of this Act; and such action shall make the petitioner or petitioners party plaintiff of plaintiffs and the United States party defendant, and any band or bands of said tribe the court may deem necessary to a final determination of such suit or suits may be joined therein as the court may order. Such petition, which shall be verified by a petitioner or an attorney employed by said petitioner, tribes of any bands thereof, shall set forth all the facts on which the claims for recovery are based, and said petition shall be signed by the attorney or attorneys employed, and no other verification shall be necessary. Official letters, papers, documents, and public 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 tribe or bands thereof to such treaties, papers, correspondence, or records as may be needed by the attorney or attorneys for said tribes or bands of Indians.

SEC. 3. That upon the final determination of such suit, cause, or action the Court of Claims shall decree such fees as it shall find reasonable to be paid the attorney or attorneys employed therein by said tribe or bands of Indians, under contracts negotiated and approved as provided by existing law, and in no case shall the fee decreed by said Court of Claims be in excess of the amounts stipulated in the contracts approved by the Commissioner of Indian Affairs and the Secretary of the Interior, and no attorney shall have a right to represent the said tribe or any band thereof in any suit, cause, or action under the provisions of this Act until his contract shall have been approved as herein provided. The fees decreed by the court to the attorney or attorneys of record shall be paid out of any sum or sums recovered in such suits or actions, and no part of such fee shall be taken from any money in the Treasury of the United States belonging to such tribes or bands of Indians in whose behalf the suit is brought unless specifically authorized in the contract approved by the Commissioner of Indian Affairs and the Secretary of the Interior as herein provided: *Provided*, That in no case shall the fees decreed by said court amount to more than 10 per centum of the amount of the judgment recovered in such cause.

Approved, February 11, 1920.

CHAP. 69.—An Act To add to the Oregon, Siuslaw, and Crater National Forests in Oregon certain lands that were revested in the United States pursuant to the decision of the Supreme Court of the United States in the case of the Oregon and California Railroad Company against the United States, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That such portions of the lands hereinafter described as shall be deemed necessary by the Secretary of the Interior and the Secretary of Agriculture for the conservation and protection of the water supplies of the cities of Oregon City, Dallas, Corvallis, and Ashland, Oregon, and which are within the limits of the grant by the United States to the Oregon and California Railroad Company, that were revested in the United States

Statutes of limitations not a bar.

Presentation of claims.

Verification of petition.

Evidence admitted.

Attorneys' fees.
Restrictions on.

To be paid from sums recovered.

Proviso:
Amount limited.

February 11, 1920.
[H. R. 8028.]
[Public, No. 137.]

Oregon, Siuslaw, and Crater National Forests, Oreg.
Revested Oregon-California Railroad lands added to.