

with the fees allowed by law and a commission on all customs moneys collected and accounted for by him, such salary, fees, and commissions not to exceed the sum of two thousand five hundred dollars per year.

Astoria.

"Third. In the district of Astoria a collector, who shall reside at Astoria, and who shall receive a salary of three thousand dollars a year, and storage charges not exceeding three hundred dollars per annum in lieu of all compensation now allowed by law.

Portland.

"Fourth. In the district of Portland a collector, who shall receive a salary of six thousand dollars a year, in lieu of present salary, fees, commissions, storage, and all perquisites of every name and nature; and an appraiser, who shall receive a salary of three thousand dollars a year, both of whom shall reside at Portland, Oregon: *Provided, however,* That nothing in this Act shall be construed as in any way affecting the action heretofore taken by the Secretary of the Treasury under the provisions of section two hundred and fifty-three of the Revised Statutes in discontinuing Port Orford, Gardiner, Ellensburg, and Newport as ports of delivery, nor as requiring customs officers to be stationed at such places."

Proviso.
Discontinuance of
officers not affected.

R. S., sec. 253, p. 42.

Approved, June 22, 1910.

June 22, 1910.
[S. 1021.]

CHAP. 312.—An Act Providing for the retirement of certain medical officers of the army.

[Public, No. 221.]

Army,
Medical Reserve
Corps.
Retirement for age,
etc.
Vol. 35, p. 69.
Post, p. 1348.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any officer of the Medical Reserve Corps who shall have reached the age of seventy years, and whose total active service in the Army of the United States, regular or volunteer, as such officer, and as contract or acting assistant surgeon, and as an enlisted man in the war of the rebellion, shall equal forty years, may thereupon, in the discretion of the President, be placed upon the retired list of the army with the rank, pay, and allowances of a first lieutenant.

Approved, June 22, 1910.

June 22, 1910.
[S. 4179.]

CHAP. 313.—An Act Authorizing the Omaha tribe of Indians to submit claims to the Court of Claims.

[Public, No. 222.]

Omaha Indians.
Court of Claims to
determine claims of.
Vol. 10, p. 1043.

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 the Omaha tribe of Indians may have or claim to have against the United States 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 tribe from the United States under the treaty between the United States and the said tribe of Indians, ratified and affirmed March sixteenth, eighteen hundred and fifty-four, or under any other treaties or laws, or for the misappropriation of any funds of said tribe for purposes not for its material benefit, or for failure of the United States to pay said tribe any money due; and jurisdiction is hereby conferred upon the Court of Claims to hear and determine all legal and equitable claims, if any, of said Omaha tribe of Indians against the United States, and also any legal or equitable defense, set-off, or counterclaim which the United States may have against said tribe, and to enter judgment thereon. The Court of Claims shall advance said cause upon the docket and shall have authority to settle the rights, both legal and equitable, of both the Omaha tribe of Indians and the United States, notwithstanding lapse of time or statutes of limitation, and the final judgment and satisfaction thereof shall be a full settlement of all claims of said Omaha Indians against the United States. That jurisdiction is hereby conferred upon said Court of Claims to hear and determine all claims of the Otoe and Missouri Indians of whatsoever nature which either or

Jurisdiction, etc.

Settlement of all
rights.

Otoe and Missouri
Indians.
Court of Claims to
determine claims.

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.

Approved, June 22, 1910.

Time for commencement, etc.

Fees to attorneys.

Proviso.
Limit of fees.

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.

Jury to consider appeals.

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 appraisalment 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