

A B I L L

Authorizing the Lower Spokane Tribes or Bands of Indians of the State of Washington, and the Lower Pend d'Oreille, or Lower Kalispell, Tribes or Bands of Indians of the States of Washington, Idaho and Montana, or either of them, to present their claims to the Court of Claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred on the United States Court of Claims, with right of appeal by either of the parties hereafter named to the Supreme Court of the United States, to consider, determine and render judgment, without regard to lapse of time or statutes of limitation, upon all legal and equitable claims of whatsoever nature against the United States of the Lower Spokane Tribes or Bands of Indians of the State of Washington, and the Lower Pend d'Oreille, or Lower Kalispell, Tribes or Bands of Indians of the States of Washington, Idaho and Montana, growing out of the claims of aboriginal right of occupancy and possession by said Indians Tribes or Bands to lands hitherto claimed and possessed by them, or either of them, of which said lands they are claimed to have been dispossessed by the United States; as well as of hunting and fishing rights of said Indian Tribes or Bands, or either of them, hitherto claimed to have been enjoyed by them, of which said rights they are claimed to have been deprived, or which said rights it is claimed have been impaired or destroyed by the United States; as well as any set-offs or counterclaims, including gratuities, which the United States may have against said Tribes or Bands, or either of **them**.

Sec. 2. The suit, or suits, under this Act shall be begun by the filing of a petition, or petitions in the Court of Claims, on behalf of the Tribes or Bands named herein, or any of them, within five years from the date of the approval of this Act; and such petition or petitions so filed

shall be verified by the attorney, or attorneys of said Tribes or Bands of Indians, said attorney or attorneys to be appointed as hereafter provided; and in such suit or suits so filed the said Tribes or Bands of Indians, or either of them, shall be the Plaintiffs, and the United States shall be the Defendant; and said suit or suits may be advanced on the dockets of the United States Court of Claims, and the Supreme Court of the United States, on motion of either party; and appeal from the judgment of the Court of Claims shall be taken to the Supreme Court in the manner and form provided by existing law; and the parites to said suit or suits are hereby authorized and empowered to search all Department records of the United States for evidence needfull to establish the prosecution or defense of said suit or suits, and to produce such records as may be procured from such sources in evidence.

Sec. 3. The attorney or attorneys to said Tribes or Bands of Indians, named herein, shall be appointed in accordance with the provisions of Sections 2103, 2104, 2105 and 2106 of the Revised Statutes of the United States, and shall be compensated for services performed on behalf of said Indians out of any sum or sums found and adjudged due said Indians as a result of the suit or suits authorized by this Act; that the amount of compensation due said attorney or attorneys shall be determined by the Court of Claims, but shall in no event exceed a sum equal to ten percentum of the amounts recovered for said Indians by the suit^s or suits herein authorized; and such compensation shall be exclusive of the expenses incurred by said attorney or attorneys in the prosecution of said suit or suits, which expenses shall likewise be paid out of the sum or sums found and adjudged due said Indians by ~~the~~ Court of Claims, upon vouchers duly presented for said expenditures to said Court.

Sec. 4. The balance of ~~the~~ sum or sums derived from the suit or suits herein authorized, shall be placed in the Treasury of the United States

to the credit of the respective Tribes or Bands named herein in whose favor the judgments may be rendered, and shall draw interest at the rate of four per centum per annum; and such sum or sums may be held for, expended upon, turned over to, or spent on behalf of said Tribes or Bands, in whole or in part, as the Secretary of the Interior and the Commissioner of Indian Affairs shall see fit, together with the accrued interest derived from such sum or sums.