

68th 2-312
Jan. 2, 1924

Calendar No. 854

68TH CONGRESS
1ST SESSION

H. R. 4275

[Report No. 790]

IN THE SENATE OF THE UNITED STATES

JUNE 3 (calendar day, JUNE 5), 1924

Read twice and referred to the Committee on Indian Affairs

JUNE 6, 1924

Reported by Mr. HARRELD, without amendment

AN ACT

Authorizing the Ponca Tribe of Indians residing in the States of Oklahoma and Nebraska to submit claims to the Court of Claims.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That all claims of whatsoever nature, both legal and equi-
4 table, which the Ponca Tribe of Indians residing in the
5 States of Oklahoma and Nebraska may have against the
6 United States, including among other things, claims for
7 moneys due the Ponca Tribe but allowed or paid to some
8 other tribe or tribes of Indians, shall be submitted to the
9 Court of Claims, with the right of appeal by either party
10 to the Supreme Court of the United States for determina-
11 tion; and jurisdiction is hereby conferred upon the Court of

1 Claims to hear and determine any and all such claims and
2 render final judgment thereon.

3 The Court of Claims shall advance the cause upon its
4 docket for hearing, and shall have authority to determine
5 and adjudge the rights, both legal and equitable, of the said
6 Ponca Tribe in the premises: *Provided*, That the court shall
7 hear and determine any legal or equitable defenses, set-offs,
8 or counterclaims including gratuities which the United States
9 may offer against the said Ponca Tribe, notwithstanding
10 lapse of time or statutes of limitation, and any tribe or band
11 of Indians deemed necessary to a final determination of any
12 suit hereunder shall be joined as the court may order. The
13 suit or suits instituted hereunder shall be begun within five
14 years from the passage of this Act by the Ponca Tribe of
15 Indians as parties plaintiff against the United States as the
16 party defendant. The petition or petitions may be verified
17 upon information and belief as to the facts therein alleged
18 by the attorney or attorneys employed by the Ponca Tribe
19 under contract approved by the Secretary of the Interior
20 and the Commissioner of Indian Affairs, as provided by
21 existing law; and no other verification shall be necessary:
22 *Provided*, That upon the final determination of such suit or
23 suits the Court of Claims shall have jurisdiction to decree the
24 fees to be paid to the attorney or attorneys not to exceed
25 10 per centum of the amount of the judgment rendered in

1 favor of said Indians and in no event to exceed the sum of
2 \$25,000, together with all necessary and proper expenses
3 incurred in preparation and prosecution of the suit; and the
4 same shall be paid out of any sum or sums found due said
5 tribe.

Passed the House of Representatives June 4, 1924.

Attest:

WM. TYLER PAGE,

Clerk.

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