

to the date of any Executive order, 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.

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 Executive order, law, treaty, or agreement, set forth and referred to in section 1, has unlawfully appropriated or disposed of any money or other property belonging to the Indians, damages therefor shall be confined to the value of the money or other property at the time of such appropriation or disposal, together with any interest thereon which may have accrued by virtue of the failure or delay of the United States to pay over to or employ for the benefit of the Assiniboine Indian Nation or Tribe, moneys so required to be paid or employed by any Act of Congress, at the rate of interest provided by such Act or Acts of Congress; 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 Assiniboine Indians in and to such money or other property.

Decree a full settlement, canceling all further claims.

Attorneys' fees, etc., by decree of court.

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

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 Assiniboine Indians as required by the rules of court in the prosecution of this suit shall be paid out of the funds of the Assiniboine Tribe in the Treasury of the United States.

Costs against losing party.

*Proviso.*  
Court expenses from tribal funds.

Passed the Senate April 2, 1926.

Approved, March 2, 1927.

March 2, 1927.

[S. 4876.]

[Public No. 668.]

CHAP. 251.—An Act Providing for the erection of a monument on Kill Devil Hill, at Kitty Hawk, North Carolina, commemorative of the first successful human attempt in history at power-driven airplane flight.

Kitty Hawk, N. C.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall*

be erected on Kill Devil Hill, at Kitty Hawk, in the State of North Carolina, a monument in commemoration of the first successful human attempt in all history at power-driven airplane flight, achieved by Orville Wright on December 17, 1903; and a commission to be composed of the Secretary of War, the Secretary of the Navy, and the Secretary of Commerce is hereby created to carry out the purposes of this Act.

Monument to commemorate first successful airplane flight to be erected on Kill Devil Hill at.

SEC. 2. That it shall be the duty of the said commission to select a suitable location for said monument, which shall be as near as possible to the actual site of said flight; to acquire the necessary land therefor; to superintend the erection of the said monument; and to make all necessary and appropriate arrangements for the unveiling and dedication of the same when it shall have been completed.

Commission created. Duties of commission.

SEC. 3. That such sum or sums as Congress may hereafter appropriate for the purposes of this Act are hereby authorized to be appropriated.

Sums authorized to be appropriated.

SEC. 4. The design and plans for the monument shall be subject to the approval of the Commission of Fine Arts and the Joint Committee on the Library.

Approval of designs, etc.

Approved, March 2, 1927.

CHAP. 252.—An Act To amend sections 4 and 5 of the Act entitled "An Act granting the consent of Congress to the Gallia County Ohio River Bridge Company and its successors and assigns, to construct a bridge across the Ohio River at or near Gallipolis, Ohio," approved May 13, 1926, as amended.

March 2, 1927.

[S. 5762.]

[Public, No. 669.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That sections 4 and 5 of the Act entitled "An Act granting the consent of Congress to the Gallia County Ohio River Bridge Company and its successors and assigns, to construct a bridge across the Ohio River at or near Gallipolis, Ohio," approved May 13, 1926, as amended, are amended by striking out the word "twenty" wherever it occurs in such sections and by inserting in lieu thereof the word "twenty-five."

Ohio River. Bridge across at Gallipolis, Ohio.

Time for acquisition, etc., extended to 25 years.

*Ante*, p. 924.

*Ante*, p. 536, amended.

Approved, March 2, 1927.

CHAP. 253.—An Act To extend the times for commencing and completing the construction of a bridge across the Wabash River at the city of Mount Carmel, Illinois.

March 2, 1927.

[S. 5791.]

[Public, No. 670.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of the bridge authorized by Act of Congress, approved March 3, 1925, to be built across the Wabash River from a point in the city of Mount Carmel, Wabash County, Illinois, to a point in Gibson County, in the State of Indiana, at a point suitable to the interests of navigation in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906, are hereby extended one and three years from the date of approval hereof.

Wabash River. Time extended for bridging, at Mount Carmel, Ill.

Vol. 43, p. 1131.

*Ante*, p. 825, amended.

*Post*, p. 1339.

Construction.

Vol. 34, p. 84.

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

Amendment.

Approved, March 2, 1927.