Indian reservation, shall be subject to the same laws, tried in the same courts and in the same manner, and subject to the same penalties as are all other persons committing any of the above crimes within the exclusive jurisdiction of the United States. [*March 3, 1885.*]

37 Fed. Rep., 145; 66 Fed. Rep., 541; 46 Pac. Rep., 636; 140 U. S., 575; 99 Fed. Rep., 437.

ACTS OF FORTY-NINTH CONGRESS—SECOND SESSION, 1887.

Feb. 8, 1887.

24 Stat., 388.

CHAP. 119.—An act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes.[a]

President may allot land.

Be it enacted, &c., [*For substitute for section 1, see 1891, Feb. 28, c. 383, s. 1, post, p. 70*].

Selection of allotments. 19 Opins., 255, 559.

SEC. 2. That all allotments set apart under the provisions of this act shall be selected by the Indians, heads of families selecting for their minor children, and the agents shall select for each orphan child, and in such manner as to embrace the improvements of the Indians making the selection.

Improvements.

Where the improvements of two or more Indians have been made on the same legal subdivision of land, unless they shall otherwise agree, a provisional line may be run dividing said lands between them, and the amount to which each is entitled shall be equalized in the assignment of the remainder of the land to which they are entitled under this act:

Failure to select for four years, Secretary of Interior may select.

Provided, That if any one entitled to an allotment shall fail to make a selection within four years after the President shall direct that allotments may be made on a particular reservation, the Secretary of the Interior may direct the agent of such tribe or band, if such there be, and if there be no agent, then a special agent appointed for that purpose, to make a selection for such Indian, which selection shall be allotted as in cases where selections are made by the Indians, and patents shall issue in like manner.

Allotments to be made by special agents, reservation agents. 19 Opins., 14.

SEC. 3. That the allotments provided for in this act shall be made by special agents appointed by the President for such purpose, and the agents in charge of the respective reservations on which the allotments are directed to be made, under such rules and regulations as the Secretary of the Interior may from time to time prescribe, and shall be certified by such agents to the Commissioner of Indian Affairs, in duplicate, one copy to be retained in the Indian Office and the other to be transmitted to the Secretary of the Interior for his action, and to be deposited in the General Land Office.

—certificates. 69 Fed. Rep., 886. 64 Fed. Rep., 417.

Indians not on reservations, etc., may make selection of public lands. 56 Fed. Rep., 855; 72 N.W. Rep., 843; 65 Fed. Rep., 30; 44 N.W. Rep., 471.

SEC. 4. That where any Indian not residing upon a reservation, or for whose tribe no reservation has been provided by treaty, act of Congress or executive order, shall make settlement upon any surveyed or unsurveyed lands of the United States not otherwise appropriated, he or she shall be entitled, upon application to the local land-office for the district in which the lands are located, to have the same allotted to him or her, and to his or her children, in quantities and manner as provided in this act for Indians residing upon reservations; and when such settlement is made upon unsurveyed lands, the grant to such Indians shall be adjusted upon the survey of the lands so as to conform thereto; and patents shall be issued to them for such lands in the manner and with the restrictions as herein provided.

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[a] Special provisions exist in regard to lands in severalty to the following tribes: Stockbridge Munsee, Ottawa and Chippewa of Michigan, Ute, Winnebago, Crow, Omaha, Umatilla, Sac and Fox, Iowa, Sioux, Gros Ventres, Piegan, Blood, Blackfeet, River Crow, Winnebago, Chippewa, Shoshone, Bannock, Sheepeater, Flathead, Ponca, Confederated Wea, Peoria, Kaskaskia, Piankeshaw and Western Miami, Round Valley, Mission, Citizen Band of Pottawatomie, Cheyenne and Arapahoe, Coeur d'Alene, Arickaree, Mandan, Sisseton and Wahpeton bands of Sioux—for reference to which special provisions, see index under title "Allotments;" See also in the index, names of particular tribes.

of Indians to whom such reservations belonged; and the same, with interest thereon at three per cent per annum, shall be at all times subject to appropriation by Congress for the education and civilization of such tribe or tribes of Indians or the members thereof.

Patents to be recorded free.

The patents aforesaid shall be recorded in the General Land Office, and afterward delivered, free of charge, to the allottee entitled thereto.

Lands occupied by religious organizations to be confirmed to them.

And if any religious society or other organization is now occupying any of the public lands to which this act is applicable, for religious or educational work among the Indians, the Secretary of the Interior is hereby authorized to confirm such occupation to such society or organization, in quantity not exceeding one hundred and sixty acres in any one tract, so long as the same shall be so occupied, on such terms as he shall deem just; but nothing herein contained shall change or alter any claim of such society for religious or educational purposes heretofore granted by law.

In employment of Indians preference to be given, etc.
R. S., 2069.
1877, Mar. 3, ch. 101, ante, p. 27.
1880, May 11, ch. 85, ante, p. 28.

And hereafter in the employment of Indian police, or any other employes in the public service among any of the Indian tribes or bands affected by this act, and where Indians can peform the duties required, those Indians who have availed themselves of the provisions of this act and become citizens of the United States shall be preferred.

Citizenship to be accorded to allotteesand Indians adopting civilized life.
R. S., 2119.
1875, Mar. 3, ch. 131, s. 15, ante, p. 23.

SEC. 6. That upon the completion of said allotments and the patenting of the lands to said allottees, each and every member of the respective bands or tribes of Indians to whom allotments have been made shall have the benefit of and be subject to the laws, both civil and criminal, of the State or Territory in which they may reside; and no Territory shall pass or enforce any law denying any such Indian within its jurisdiction the equal protection of the law.

1888, Aug. 9, ch., 818, s. 2, post, p. 38.
64 Fed. Rep., 417.
1901, Mar. 3, ch. 868, post, p. 114.
66 Fed. Rep., 541.
71 Fed. Rep., 576.

And every Indian born within the territorial limits of the United States to whom allotments shall have been made under the provisions of this act, or under any law or treaty, and every Indian born within the territorial limits of the United States who has voluntarily taken up, within said limits, his residence separate and apart from any tribe of Indians therein, and has adopted the habits of civilized life, [*and every Indian in Indian Territory,*] is hereby declared to be a citizen of the United States, and is entitled to all the rights, privileges, and immunities of such citizens, whether said Indian has been or not, by birth or otherwise, a member of any tribe of Indians within the territorial limits of the United States without in any manner impairing or otherwise affecting the right of any such Indian to tribal or other property.

As amended, post, p. 114.

Secretary of Interior to prescribe rules for use of waters for irrigation.

SEC. 7. That in cases where the use of water for irrigation is necessary to render the lands within any Indian reservation available for agricultural purposes, the Secretary of the Interior be, and he is hereby, authorized to prescribe such rules and regulations as he may deem necessary to secure a just and equal distribution thereof among the Indians residing upon any such reservations; and no other appropriation or grant of water by any riparian proprietor shall be authorized or permitted to the damage of any other riparian proprietor.

Act not to extend to lands of certain tribes.

SEC. 8. That the provision of this act shall not extend to the territory occupied by the Cherokees, Creeks, Choctaws, Chickasaws, Seminoles, and Osage, Miamies and Peorias, and Sacs and Foxes, in the Indian Territory, nor to any of the reservations of the Seneca Nation of New York Indians in the State of New York, nor to that strip of territory in the State of Nebraska adjoining the Sioux Nation on the south added by executive order.[b]

Appropriation for surveys.

SEC. 9. That for the purpose of making the surveys and resurveys mentioned in section two of this act, there be, and hereby is, appro-

[b] The provisions of this act are extended to the Wea, Peoria, Kaskaskia, Piankeshaw, and Western Miami tribes by act of 1889, March 2, ch. 422 (post, p. 344).

Fees of land officers to be paid from Treasury.

And the fees to which the officers of such local land-office would have been entitled had such lands been entered under the general laws for the disposition of the public lands shall be paid to them, from any moneys in the Treasury of the United States not otherwise appropriated, upon a statement of an account in their behalf for such fees by the Commissioner of the General Land Office and a certification of such account to the Secretary of the Treasury by the Secretary of the Interior.

Patent to issue, holding lands in trust: conveyance after twenty-five years.
1875, Mar. 3, c. 131, s. 15, ante, p. 23.
1889, Feb. 16, c. 172, post, p. 39.
19 Opins., 232.
1901, Mar. 3, c. 832, post, p. 114.

SEC. 5. That upon the approval of the allotments provided for in this act by the Secretary of the Interior, he shall cause patents to issue therefor in the name of the allottees, which patents shall be of the legal effect, and declare that the United States does and will hold the land thus allotted for the period of twenty-five years, in trust for the sole use and benefit of the Indian to whom such allotment shall have been made, or, in case of his decease, of his heirs according to the laws of the State or Territory where such land is located, and that at the expiration of said period the United States will convey the same by patent to said Indian, or his heirs as aforesaid, in fee, discharged of said trust and free of all charge or incumbrance whatsoever: *Provided*, That the President of the United States may in any case in his discretion extend the period.

Contracts, conveyances, etc., before end of twenty-five years void.
1891, Feb. 28, c. 383, s. 1, post, p. 56.

And if any conveyance shall be made of the lands set apart and allotted as herein provided, or any contract made touching the same, before the expiration of the time above mentioned, such conveyance or contract shall be absolutely null and void:

Laws of descent and partition.
1891, Feb. 16, c. 383, s. 5, post, p. 58.

Provided, That the law of descent and partition in force in the State or Territory where such lands are situate shall apply thereto after patents therefor have been executed and delivered, except as herein otherwise provided; and the laws of the State of Kansas regulating the descent and partition of real estate shall, so far as practicable, apply to all lands in the Indian Territory which may be allotted in severalty under the provisions of this act:

Negotiations by Secretary of Interior for purchase of lands not allotted.
R. S., 2079.

And provided further, That at any time after lands have been allotted to all the Indians of any tribe as herein provided, or sooner if in the opinion of the President it shall be for the best interests of said tribe, it shall be lawful for the Secretary of the Interior to negotiate with such Indian tribe for the purchase and release by said tribe, in conformity with the treaty or statute under which such reservation is held, of such portions of its reservation not allotted as such tribe shall, from time to time, consent to sell, on such terms and conditions as shall be considered just and equitable between the United States and said tribe of Indians, which purchase shall not be complete until ratified by Congress, and the form and manner of executing such release shall also be prescribed by Congress:

Agricultural lands so purchased to be held for actual settlers, if arable.
1891, Mar. 3, c. 561, s. 10, 26 Stat., 1095.

Provided however, That all lands adapted to agriculture, with or without irrigation so sold or released to the United States by any Indian tribe shall be held by the United States for the sole purpose of securing homes to actual settlers and shall be disposed of by the United States to actual and bona fide settlers only in tracts not exceeding one hundred and sixty acres to any one person, on such terms as Congress shall prescribe, subject to grants which Congress may make in aid of education:

Patent to issue only to persons taking for homestead.

And provided further, That no patents shall issue therefor except to the person so taking the same as and for a homestead, or his heirs, and after the expiration of five years occupancy thereof as such homestead; and any conveyance of said lands so taken as a homestead, or any contract touching the same, or lien thereon, created prior to the date of such patent, shall be null and void.

Purchase-money to be held in trust for Indians.

And the sums agreed to be paid by the United States as purchase money for any portion of any such reservation shall be held in the Treasury of the United States for the sole use of the tribe or tribes

priated, out of any moneys in the Treasury not otherwise appropriated, the sum of one hundred thousand dollars, to be repaid proportionately out of the proceeds of the sales of such land as may be acquired from the Indians under the provisions of this act.

Rights of way for railroads, etc., not affected.

SEC. 10. That nothing in this act contained shall be so construed as to affect the right and power of Congress to grant the right of way through any lands granted to an Indian, or a tribe of Indians, for railroads or other highways, or telegraph lines, for the public use, or to condemn such lands to public uses, upon making just compensation.

Removal of Southern Utes not affected by act.

SEC. 11. That nothing in this act shall be so construed as to prevent the removal of the Southern Ute Indians from their present reservation in Southwestern Colorado to a new reservation by and with the consent of a majority of the adult male members of said tribe. [*February 8, 1887.*]

Mar. 2, 1887.

24 Stat., 449.

CHAP. 320.—An act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with the various Indian tribes, for the year ending June thirtieth, eighteen hundred and eighty-eight, and for other purposes.

[24 Stat., 463.] Secretary of Interior may use for Indians money covered into Treasury from sales of timber, etc. 1883, Mar. 3, ch. 141, ante, p. 31.

Be it enacted, &c. * * * That the Secretary of the Interior is hereby authorized to use the money which has been or may hereafter be covered into the Treasury under the provisions of the act approved March third, eighteen hundred and eighty-three, and which is carried on the books of that Department under the caption of "Indian moneys, proceeds of labor," for the benefit of the several tribes on whose account said money was covered in, in such way and for such purposes as in his discretion he may think best, and shall make annually a detailed report thereof to Congress. * * *

[24 Stat., 464.] Crimes against Indian police or Indian deputy marshal to be tried in district courts. 1885, Mar. 3, ch. 341, ante, p. 32. 130 U. S., 343.

That immediately upon and after the passage of this act any Indians committing against the person of any Indian policeman appointed under the laws of the United States, or any Indian United States deputy marshal, while lawfully engaged in the execution of any United States process, or lawfully engaged in any other duty imposed upon such policeman or marshal by the laws of the United States, any of the following crimes, namely, murder, manslaughter, or assault with intent to kill, within the Indian Territory, shall be subject to the laws of the United States relating to such crimes, and shall be tried by the district court of the United States exercising criminal jurisdiction where said offense was committed, and shall be subject to the same penalties as are all other persons charged with the commission of said crimes, respectively; and the said courts are hereby given jurisdiction in all such cases.[a] * * *

[24 Stat., 465.] Secretary of Interior to report annually manner of expenditure of Indian education fund. R. S., 445.

For support of schools. * * * That the Secretary of the Interior shall report annually, on or before the first Monday of December of each year, in what manner and for what purposes the general education fund for the preceding fiscal year has been expended; and said report shall embrace the number and kind of school-houses erected, and their cost, as well as cost of repairs, names of every teacher employed, and compensation allowed, the location of each school, and the average attendance at each school.[b] * * * [*March 2, 1887.*]

ACTS OF FIFTIETH CONGRESS—FIRST SESSION, 1888.

Feb. 15, 1888.

CHAP. 10.—An act to punish robbery, burglary, and larceny, in the Indian Territory.

25 Stat., 33. In Indian Territory, horse stealing, how punished. 153 U. S., 48.

Be it enacted, &c., That any person hereafter convicted in the United States courts having jurisdiction over the Indian Territory or parts thereof, of stealing any horse, mare, gelding, filly, foal, ass or mule,

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[a] The act of 1888, June 9, ch. 382 (post, p. 37), contains more extended provisions on this subject, and perhaps supersedes this paragraph.

[b] Similar provisions are contained in previous appropriation acts (23 Stat., 381; 24 Stat., 45).

commissioners, and paying into the court the full amount of the award of damages made by the commissioners, and immediately thereafter to cross, intersect, join, or unite with the line of the opposing railway.

Decision, if not appealed, to be recorded and enforced.

If no exceptions are filed within said time the judge shall cause the said decision to be recorded in the minutes of his court, and shall make the same judgment of his court, and may issue the necessary process to enforce the same.

Compensation of commissioners.

SEC. 8. That commissioners shall be entitled to receive for their services five dollars each for every day they are engaged in the performance of their duties, which they shall include in their statement of costs and which shall be paid as such.

Supplying vacancies.

If the commissioners or any of them shall be unable or for any cause fail to act the court or judge shall appoint a commissioner or commissioners to supply the place or places of those failing to act.

Costs; how to be determined.

SEC. 9. That the costs of the proceedings before the commissioners and in the court shall be determined as follows, to wit: If the commissioners shall award greater damages than the said company offered to pay before the proceedings commenced, or if exceptions are filed to the decision of the commissioners as herein provided for, and the judgment of the court is for a greater sum than the amount awarded by the commissioners, then the said company shall pay all costs; but if the amount awarded by said commissioners as damages, or if the judgment of the court shall be for the same or less amount of damages than the amount offered by the company before proceedings were commenced, then the cost shall be paid by the other company.

Trains to stop at all intersections, etc.

SEC. 10. That every railroad company operating a railroad in the Indian Territory shall cause all passenger and freight trains running on its road to stop at all points on its road where another railroad crosses, joins, unites, or intersects, and take and receive on said trains all passengers and all freights and mail offered at that point, and shall carry the same, and shall also discharge at said point all passengers desiring to stop there and all freight and mails consigned to said point.

Discriminations forbidden.

And no railroad company shall in any wise discriminate against passengers or freight transported or conveyed by any intersecting railroad company.

Penalty for violations.

SEC. 11. That any railroad company violating any of the provisions of the preceding section shall forfeit and pay to the company or individual injured thereby double the amount of damages which said company or individual may have sustained, to be recovered in any court of competent jurisdiction. [*October 1, 1890.*]

Amendment to Gen'l allotment

ACTS OF FIFTY-FIRST CONGRESS—SECOND SESSION, 1891.

Feb. 28, 1891.

26 Stat., 794.

CHAP. 383.—An act to amend and further extend the benefits of the act approved February eighth, eighteen hundred and eighty-seven, entitled "An act to provide for the allotment of land in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States over the Indians, and for other purposes."

Allotment of one-eighth section of land in severalty to each Indian on reservation.

Substitute for 1887, Feb. 8, c. 119, s. 1, ante, p. 33. R. S., 2119. 1875, Mar. 3, c. 131, s. 15, ante, p. 23. 1884, July 4, c. 180, ante, p. 31. 1888, Oct. 19, c. 1214, s. 2, ante, p. 38. 1893, Mar. 3, c. 209, post, p. 66. 1895, Jan. 26, c. 50, post, p. 70.

Be it enacted, &c., That section one of the act entitled "An act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes," approved February eighth, eighteen hundred and eighty-seven, be, and the same is hereby, amended so as to read as follows:

"SEC. 1. That in all cases where any tribe or band of Indians has been, or shall hereafter be, located upon any reservation created for their use, either by treaty stipulation or by virtue of an Act of Congress, or Executive order setting apart the same for their use, the President of the United States be, and he hereby is, authorized, whenever in his opinion any reservation, or any part thereof, of such

Indians is advantageous for agricultural or grazing purposes, to cause said reservation, or any part thereof, to be surveyed, or resurveyed, if necessary, and to allot to each Indian located thereon one-eighth of a section of land:

—pro rata, if lands insufficient.

Provided, That in case there is not sufficient land in any of said reservations to allot lands to each individual in quantity as above provided the land in such reservation or reservations shall be allotted to each individual pro rata, as near as may be, according to legal subdivisions:

—by treaty or act not reduced. 1887, Feb. 8, c. 119, note *a*, ante, p. 33.

Provided further, That where the treaty or act of Congress setting apart such reservation provides for the allotment of lands in severalty to certain classes in quantity in excess of that herein provided the President, in making allotments upon such reservation, shall allot the land to each individual Indian of said classes belonging thereon in quantity as specified in such treaty or act, and to other Indians belonging thereon in quantity as herein provided:

—under existing agreements or laws in accordance with former act may be made as herein provided if Indians consent.

Provided further, That where existing agreements or laws provide for allotments in accordance with the provisions of said act of February eighth, eighteen hundred and eighty-seven, or in quantities substantially as therein provided, allotments may be made in quantity as specified in this act, with the consent of the Indians, expressed in such manner as the President, in his discretion, may require:

Double allotments of lands fit for grazing only.

And provided further, That when the lands allotted, or any legal subdivision thereof, are only valuable for grazing purposes, such lands shall be allotted in double quantities."

Existing allotments in certain cases to be augmented.

SEC. 2. That where allotments have been made in whole or in part upon any reservation under the provisions of said act of February eighth, eighteen hundred and eighty-seven, and the quantity of land in such reservation is sufficient to give each member of the tribe eighty acres, such allotments shall be revised and equalized under the provisions of this act:

No existing approved allotment to be reduced.

Provided, That no allotment heretofore approved by the Secretary of the Interior shall be reduced in quantity.

Leases of allotments permitted if allottee disabled from occupancy. 1896, June 10, c. 398, post, p. 81. 45 Pac. Rep., 348.

SEC. 3. That whenever it shall be made to appear to the Secretary of the Interior that, by reason of age or other disability, any allottee under the provisions of said act, or any other act or treaty can not personally and with benefit to himself occupy or improve his allotment or any part thereof the same may be leased upon such terms, regulations and conditions as shall be prescribed by such Secretary, for a term not exceeding three years for farming or grazing, or ten years for mining purposes:

Leases of lands occupied by Indian purchasers permitted.

Provided, That where lands are occupied by Indians who have bought and paid for the same, and which lands are not needed for farming or agricultural purposes, and are not desired for individual allotments, the same may be leased by authority of the Council speaking for such Indians, for a period not to exceed five years for grazing, or ten years for mining purposes in such quantities and upon such terms and conditions as the agent in charge of such reservation may recommend, subject to the approval of the Secretary of the Interior.

Indians entitled to allotment may make selection of public lands for allotment.

SEC. 4. That where any Indian entitled to allotment under existing laws shall make settlement upon any surveyed or unsurveyed lands of the United States not otherwise appropriated, he or she shall be entitled, upon application to the local land office for the district in which the lands are located, to have the same allotted to him or her and to his or her children, in quantities and manner as provided in the foregoing section of this amending act for Indians residing upon reservations; and when such settlement is made upon unsurveyed lands the grant to such Indians shall be adjusted upon the survey of the lands so as to conform thereto; and patents shall be issued to them for such lands in the manner and with the restrictions provided in the act to which this is an amendment.

Fees to be paid from the Treasury.

And the fees to which the officers of such local land office would have been entitled had such lands been entered under the general laws for the disposition of the public lands shall be paid to them from any moneys in the Treasury of the United States not otherwise appropriated, upon a statement of an account in their behalf for such fees by the Commissioner of the General Land Office, and a certification of such account to the Secretary of the Treasury by the Secretary of the Interior.

Determination of descent.
1887, Feb. 8, c. 119, s. 5, ante, p. 34.

SEC. 5. That for the purpose of determining the descent of land to the heirs of any deceased Indian under the provisions of the fifth section of said act, whenever any male and female Indian shall have co-habited together as husband and wife according to the custom and manner of Indian life the issue of such co-habitation shall be, for the purpose aforesaid, taken and deemed to be the legitimate issue of the Indians so living together, and every Indian child, otherwise illegitimate, shall for such purpose be taken and deemed to be the legitimate issue of the father of such child:

"Cherokee Outlet" lands excepted.
1890, May 2, c. 182, s. 1, ante, p. 45.

Provided, That the provisions of this act shall not be held or construed as to apply to the lands commonly called and known as the "Cherokee Outlet":

Certain Sauk and Foxes excepted.

And provided further, That no allotment of lands shall be made or annuities of money paid to any of the Sac and Fox of the Missouri Indians who were not enrolled as members of said tribe on January first, eighteen hundred and ninety; but this shall not be held to impair or otherwise affect the rights or equities of any person whose claim to membership in said tribe is now pending and being investigated. [*February 28, 1891.*]

Mar. 3, 1891.
26 Stat., 826.

CHAP. 517.—An act to establish circuit courts of appeals and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes.

Circuit court of appeals; jurisdiction.

Be it enacted, etc., * * * SEC. 2. That there is hereby created in each circuit a circuit court of appeals, which shall consist of three judges, of whom two shall constitute a quorum, and which shall be a court of record with appellate jurisdiction, as is hereafter limited and established.

* * * * * * *

[26 Stat., 829.]
Appeals, etc., from Indian Territory court.
1889, Mar. 1, c. 333, ante, p. 39.
1890, May 28, c. 182, s. 29, 30, ante, pp. 47, 48.
1895, Mar. 1, c. 145, post p. 70.
1896, Feb. 8, c. 14, post p. 77.

SEC. 13. Appeals and writs of error may be taken and prosecuted from the decisions of the United States court in the Indian Territory to the Supreme Court of the United States, or to the circuit court of appeals in the eighth circuit, in the same manner and under the same regulations as from the circuit or district courts of the United States, under this act. * * * [*March 3, 1891.*]

Mar. 3, 1891.
26 Stat., 851.

CHAP. 538.—An act to provide for the adjudication and payment of claims arising from Indian depredations.

Indian depredation claims.
Court of Claims authorized to adjudicate—

Be it enacted, &c., That in addition to the jurisdiction which now is, or may hereafter be, conferred upon the Court of Claims, said Court shall have and possess jurisdiction and authority to inquire into and finally adjudicate, in the manner provided in this act, all claims of the following classes, namely:

—claims for property taken by Indians in amity.
Rev. Stat., 2156.
161 U. S., 291, 297; 160 U. S., 546.

First. All claims for property of citizens of the United States taken or destroyed by Indians belonging to any band, tribe, or nation, in amity with the United States, without just cause or provocation on the part of the owner or agent in charge, and not returned or paid for.

—claims examined and allowed.

Second. Such jurisdiction shall also extend to all cases which have been [a] examined and allowed by the Interior Department.

See note [a], post p. 61.