

entered into by such company with the office of the Chief of Engineers, United States Army, under date of January 11, 1933, such sum representing the additional stone costs, equipment rentals, depreciation charges, and miscellaneous expenses incurred by such company in order to obtain and place sufficient stone to meet contract specifications when the quarry approved by such contract proved inadequate: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 14, 1935.

[CHAPTER 537.]

AN ACT

For the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department.

August 14, 1935.
[S. 556.]
[Private, No. 214.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of the following disbursing officers of the Army of the United States the amounts set opposite their names: Selden B. Armat, major, Finance Department, \$60.91; Francis J. Baker, major, Finance Department, \$25; Edwin F. Ely, major, Finance Department, \$77.37; Clarence M. Exley, major, Finance Department, \$92.02; Eugene M. Foster, captain, Finance Department, \$19.65; Peter Hanses, captain, Quartermaster Corps, \$10.70; Thomas B. Kennedy, captain, Finance Department, \$60.30; Montgomery T. Legg, major, Finance Department, \$178.47; Harry B. Lovell, captain, Finance Department, \$34.78; Samuel B. McIntyre, late colonel, Finance Department, \$31.37; Jacob R. McNiel, captain, Finance Department, \$180.23; Hilden Olin, colonel, Finance Department, \$59.57; Herbert E. Pace, major, Finance Department, \$91; Joseph F. Routhier, first lieutenant, Finance Department, \$96.53; Philip A. Scholl, captain, Finance Department, \$333.82; Edwin B. Spiller, major, Finance Department, \$18.27; George N. Watson, major, Finance Department, \$178; and Lawrence P. Worrall, captain, Finance Department, \$11.28, said amounts being public funds for which they are accountable and which comprise minor errors in computation of pay and allowances due military personnel, who are no longer in the service of the United States, and which amounts have been disallowed by the Comptroller General of the United States.

Army disbursing officers, etc.

Credit allowed in accounts of designated.

SEC. 2. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Francis J. Baker, major, Finance Department, \$105.57, public funds for which he is accountable, paid to members of the National Guard of Florida and Tennessee for armory drill pay.

Francis J. Baker.

SEC. 3. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Edward T. Comegys, major, Finance Department, the sum of \$22.70, public funds for which he is accountable and which were paid by him to Wilmot A. Danielson, major, Quartermaster Corps, for mileage performed under War Department orders, and which

Edward T. Comegys.

amount was disallowed by the Comptroller General of the United States.

Otto W. Gralund.

SEC. 4. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Otto W. Gralund, major, Finance Department, the sum of \$73.80, public funds for which he is accountable and which were paid to a former officer of the United States covering commutation of quarters and from whom it is impossible to make collection.

Carl Halla.

SEC. 5. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Carl Halla, major, Finance Department, the sum of \$323.48, public funds for which he is accountable and which were paid Major (then captain) Maurice L. Miller, Infantry, covering loss of personal property and whose claim was approved by the Acting Secretary of War on August 6, 1925, and disallowed by the Comptroller General of the United States.

Peter Hanses.

SEC. 6. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Peter Hanses, captain, Quartermaster Corps, the sum of \$43.80, public funds for which he is accountable and which were paid to fourteen Citizens' Military Training Camp students covering mileage from their homes to Camp Harry J. Jones, Arizona, collection of which amount cannot be effected.

Thomas B. Kennedy.

SEC. 7. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Thomas B. Kennedy, captain (retired), Finance Department, the sum of \$58.50, public funds for which he is accountable and which were paid to twelve Reserve Officers' Training Corps and Citizens' Military Training Camp students on account of mileage from their homes to Fort Sheridan, Illinois, collection of which amount cannot now be effected.

Edwin J. O'Hara.

SEC. 8. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Edwin J. O'Hara, major, Finance Department, the sum of \$86.26, public funds for which he is accountable and which were paid to Howard S. Miller, lieutenant colonel, Coast Artillery Corps, covering mileage under proper orders of the War Department and which payment was disallowed by the Comptroller General of the United States.

Edwin M. Lawton.

SEC. 9. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Edwin M. Lawton, disbursing clerk, War Department, the sum of \$38.61, public funds for which he is accountable and which were paid to James R. Kyle, a civilian employee of the Quartermaster General's Office, and disallowed by the Comptroller General of the United States.

Frank B. Strunk.
Payment to.

SEC. 10. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank B. Strunk, former private, Battery C, Three Hundred and Thirty-seventh Regiment Field Artillery, the sum of \$44.75, being the amount he has paid for one second Liberty Loan bond by deduction from his pay as an enlisted man and which bond was lost in the mails.

Clarence M. Exley.

SEC. 11. That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of Clarence M. Exley, major, Finance Department, the sum of \$22.56, representing public funds for which he is accountable, being payment of mileage of two officers of the Army traveling on orders of the War Department, which now stands as disallowances on the books of the General Accounting Office.

SEC. 12. That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of William A. MacNicholl, major, Finance Department, the sum of \$145.70, representing public funds for which he is accountable, being payment of mileage and expenses to an officer of the Army traveling on orders of the War Department, which now stand as disallowances on the books of the General Accounting Office.

William A. MacNicholl.

SEC. 13. That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of Arthur O. Walsh, captain, Finance Department, the sum of \$84.60, representing public funds for which he is accountable and which comprise minor errors in computation of pay and allowances due military personnel who are no longer in the service of the United States, which now stands as disallowances on the books of the General Accounting Office.

Arthur O. Walsh.

SEC. 14. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Austin H. Brown, major, Finance Department, the sum of \$46.58, being the amount he has refunded to the United States on account of disallowances in his account as a disbursing officer.

Austin H. Brown.
Payment to.

SEC. 15. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alexander T. McCone, first lieutenant, Field Artillery, \$124; and to John C. Hamilton, first lieutenant, Cavalry, \$132, being the amounts originally paid to them by disbursing officers of the Army and which amounts they have refunded to the United States by reason of disallowances by the Comptroller General of the United States, covering traveling expenses while studying foreign languages in Europe under proper orders of the War Department.

Alexander T. McCone and John C. Hamilton.
Payments to.

SEC. 16. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the accounts of Fred W. Boschen, lieutenant colonel, Finance Department, United States Army, in the sum of \$1,165.58, being payments made by him to officers of the Regular Army for traveling expenses and disallowed by the Comptroller General.

Fred W. Boschen.

SEC. 17. That the Comptroller General of the United States be, and he is hereby, authorized and directed not to require refund from the following-named officers of the Army of amounts originally paid them by a disbursing officer of the Army covering traveling expenses while studying foreign languages in Europe under proper orders of the War Department, which amounts were later disallowed by the Comptroller General: Thomas G. Peyton, major, Cavalry, \$236.60; Leo V. Warner, captain, Field Artillery, \$235.60; Francis B. Valentine, first lieutenant, Air Corps, \$132; and Reginald W. Hubbell, first lieutenant, Quartermaster Corps, \$561.38.

Refunds by designated officers covering travel expenses, not required.

SEC. 18. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of the following disbursing officers of the Army of the United States the amounts set opposite their names: Herbert Baldwin, captain, Finance Department, \$10; Philip G. Blackmore, major, Ordnance Department, \$11.70; Jerome Clark, major, Finance Department, \$10.05; Edward T. Comegys, major, Finance Department, \$97.31; John M. Connor, first lieutenant, Finance Department, \$29; Edward Dworak, major, Finance Department, \$40.44; Frank F. Fulton, captain, Finance Department, \$68.40; John B. Harper, major, Finance Department, \$5.45; Laurence V. Houston, captain, Field Artillery,

Credits allowed additional Army disbursing officers.

\$20.73; Royal G. Jenks, captain, Finance Department, \$36.89; Robert J. Kennedy, captain, Finance Department, \$6.50; Edwin J. O'Hara, major, Finance Department, \$40.77; Walter H. Sutherland, captain, Finance Department, \$2; and Ernest W. Wilson, captain, Finance Department, \$102.91; said amounts being public funds for which they are accountable and which comprise minor errors in computation of pay and allowances due military personnel who are no longer in the service of the United States, and which amounts have been disallowed by the Comptroller General of the United States.

Finance officer,
Quarry Heights, C. Z.

SEC. 19. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of the finance officer, Panama Canal Department, Quarry Heights, Canal Zone, the sum of \$34.75, public funds for which he is accountable and which represent the amount paid by his agent officer with the Pan American flight on vouchers which have been submitted but which are not acceptable by the General Accounting Office.

Edward T. Comegys.

SEC. 20. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Edward T. Comegys, major, Finance Department, United States Army, the sum of \$57.70, public funds for which he is accountable and which were paid by him covering shipment of household goods and personal effects of Captain John J. Atkinson, Field Artillery, United States Army, upon his permanent change of station: *Provided*, That there shall be no charge raised against Captain Atkinson by reason of this shipment.

Proviso.
No action against
Captain Atkinson.

Kinsley W. Slauson.

SEC. 21. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Kinsley W. Slauson, captain, Quartermaster Corps, United States Army, the sum of \$118.50, public funds for which he is accountable and which were paid to officers of the Regular Army for traveling expenses and disallowed by the Comptroller General of the United States: *Provided*, That the amounts so paid shall not be charged against any moneys otherwise due the payees.

Proviso.
Accountability.

John B. Harper.

SEC. 22. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of John B. Harper, major, Finance Department, United States Army, the sum of \$90.90, public funds for which he is accountable and which amount was paid for the transportation of personal property of G. V. Heidt, lieutenant colonel (retired), United States Army, upon his retirement, which amount has been disallowed by the Comptroller General: *Provided*, That no refund on this account shall be demanded of Lieutenant Colonel G. V. Heidt, United States Army, retired.

Proviso.
No refund demand-
ed.

Dana W. Morey.

SEC. 23. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Dana W. Morey, major, Finance Department, United States Army, the sum of \$37.85, public funds for which he is accountable and which were stolen by a person or persons unknown sometime between July 20 and 22, 1929, from the safe in the finance office at Fort McPherson, Georgia.

Oliver T. Simpson.

SEC. 24. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Oliver T. Simpson, captain, Finance Department, United States Army, the sum of \$78.30, public funds for which he is accountable and which represent overpayments to an enlisted man and a citizens' military training camp trainee, and which amount has been disallowed by the Comptroller General of the United States.

James T. Stockton.

SEC. 25. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of James T. Stockton, lieutenant colonel, Texas National Guard, for-

merly a United States property and disbursing officer for the State of Texas, the sum of \$215.83, public funds for which he is accountable, and which were paid by him to former officers and enlisted men of the National Guard of Texas, and to a civilian caretaker of the National Guard of Texas, and which amounts have been disallowed by the Comptroller General.

SEC. 26. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Arthur L. Webb, major, Finance Department, United States Army, the sum of \$50.40, public funds for which he is accountable, and which represent payments made to Reserve Officers' Training Corps students, which payments have been disallowed by the Comptroller General of the United States.

Arthur L. Webb.

SEC. 27. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Ernest W. Wilson, captain, Finance Department, the sum of \$89, public funds for which he is accountable, and which amount was paid to a contractor for services rendered and which payment has been disallowed by the Comptroller General of the United States on the grounds that the lower bid was not accepted. The War Department did not consider the lower bidder equipped to render the necessary service and approved payment to the next higher bidder.

Ernest W. Wilson.

SEC. 28. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas H. Emerson, major, Corps of Engineers, the sum of \$150; and to James M. Loud, lieutenant colonel (retired), the sum of \$75; being the amounts due these officers for deductions made from their pay and now due them as directed by the Supreme Court of the District of Columbia.

Thomas H. Emerson
and James M. Loud.
Payment to.

SEC. 29. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edwin K. Wright, first lieutenant, Infantry, United States Army, \$1,681.17, or so much of such sum as shall have been collected from him prior to the passage of this Act, representing a loss from the peculations and irregularities of a noncommissioned officer in the commissary at Fort Wright, Washington, during the period June 1 to July 26, 1929, while Lieutenant Wright was temporarily acting as post quartermaster: *Provided*, That no part of this shortage shall be later charged to Lieutenant Edwin K. Wright, Infantry.

Edwin K. Wright.
Payment to.

Proviso.
Shortage responsibility.

SEC. 30. Any amounts which otherwise may have been due any of the disbursing officers mentioned herein, or, in the case of deceased officers, may have been due their heirs, for any other purpose, and which amounts or any part thereof have been used as a set-off by the Comptroller General to clear disallowances in said officers' accounts mentioned herein, shall be refunded to such disbursing officers or their heirs: *Provided*, That any amounts refunded by any of said disbursing officers, or their heirs, to the United States on account of said disallowances, shall also be refunded to such disbursing officers or their heirs.

Any sum used as
set-off to clear disallowance to be refunded.

Proviso.
Redemption of refunds by disbursing officers.

SEC. 31. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Earl I. Brown, colonel, Corps of Engineers, United States Army, the sum of \$9,341.35, representing public funds for which he is accountable and being the amount paid by him in April 1920, to the Sheridan-Kirk Contract Company in connection with the construction of Lock and Dam Numbered 31 on the Ohio River under contract dated November 6, 1912.

Earl I. Brown.
Credit allowed in accounts of.

Approved, August 14, 1935.