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[CHAPTER 489]

July 10, 1937
[H. R. 3967]
[Private, No. 227]

AN ACT

For the relief of Adele Fowlkes.

Adele Fowlkes.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary to the Terasury [1] be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Adele Fowlkes, the sum of $2,984.75, in full settlement of her claim against the United States for personal injuries incurred July 1, 1933, when a bridge gave way over Chasm Falls at Estes Park, Rocky Mountain National Park, Colorado: *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 attorney on account of services rendered in connection with this claim, and the same shall be unlawful, 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, July 10, 1937.

[CHAPTER 490]

July 12, 1937
[H. R. 1851]
[Private, No. 228]

AN ACT

For the relief of W. D. Davis.

W. D. Davis.
Suit for damages in district court, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That W. D. Davis, of Fort Worth, Texas, as successor to the firm of W. D. and M. L. Davis, statutes of limitations being waived, is authorized to enter suit in the United States District Court for the Northern District of Texas for the amount alleged to be due from the United States on account of loss sustained by the firm arising out of action of inspectors of the Bureau of Animal Industry of the United States Department of Agriculture during 1917 and 1918 in driving cattle infested with Texas fever ticks, or having such cattle driven under their direction or supervision, over the land of the firm, or using the firm's dipping vats for dipping such tick-infested cattle. For the purposes of such suit said W. D. Davis shall have all the rights of the firm.

Jurisdiction of court.

Procedure, evidence, etc.

SEC. 2. Jurisdiction is hereby conferred upon said United States District Court for the Northern District of Texas to hear and determine such claim without the intervention of a jury. The action in said court may be presented by a petition making the United States party defendant and shall set forth all the facts upon which the claimant bases his claim, and the petition may be verified by the agent or attorney of said claimant; official letters, reports, and public records, or certified copies thereof, may be used as evidence; and said court shall have jurisdiction to hear and determine said suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found due from the United States to said claimant by reason of the alleged action, upon the same principles and under the same measure of liability as in like cases between private parties, and the Government hereby waives its immunity from suit. And said claimant and the United States of America shall have all rights of appeal or writ of error or other remedy as in similar cases between private persons or corporations: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of said court, and

Provisos.
Notice, etc., to Attorney General.

[1] So in original.