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which sum represents the balance due the Daniel Baker Company and is being withheld by the Government of the United States as part of the excess cost alleged to have been incurred by the United States by reason of the failure of the said Daniel Baker Company to perform under contract numbered Tps–40640, entered into on May 28, 1941, with the Procurement Division of the Treasury Department to furnish gasoline to certain governmental agencies during the period between July 1 through September 30, 1941.

It is further authorized and directed that the Daniel Baker Company shall not be held liable or responsible on the claim of the United States against the said company in the amount of $101.21, or any part of it, which is alleged by the Comptroller General of the United States to be due the United States from the said company by reason of the alleged excess cost incurred by the United States due to the failure of the said company to perform under contract numbered Tps–40640.

The said Daniel Baker Company entered into contract numbered Tps–40640, through its president, with the Procurement Division of the Treasury Department on May 28, 1941, with the mistaken impression that said contract only called for deliveries of gasoline to the governmental agencies included in said contract in Clay County, Kentucky, where the said company had a franchise from the Shell Oil Company, Incorporated, to sell and deliver their gasoline, and that the said company was unable at all times, including the contract period, to furnish gasoline elsewhere to fulfill the orders of the governmental agencies included in contract numbered Tps–40640: *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.

Approved April 20, 1945.

[CHAPTER 88]

AN ACT

For the relief of Benjamin D. Lewis.

April 20, 1945
[H. R. 1983]
[Private Law 53]

Benjamin D. Lewis.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 15 to 20, inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., 1940 edition, title 5, secs. 767 and 770) are hereby waived in favor of Benjamin D. Lewis, who is alleged to have contracted tuberculosis while employed at the Normoyle Quartermaster Motor Base, San Antonio, Texas, prior to 1942, and his claim for compensation is authorized to be considered and acted upon under the remaining provisions of such Act, as amended, if he files such claim with the United States Employees' Compensation Commission not later than sixty days after the date of the enactment of this Act: *Provided*, That no benefits hereunder shall accrue prior to the approval of this Act.

39 Stat. 746.
5 U. S. C. §§ 765–770.

Approved April 20, 1945.