

27, 1940, on the Coast Highway, near Corona Del Mar, California, when the automobile of the said Hiram O. Lester, in which he and his wife, Grace D. Lester and Florence E. Dawson were riding, was struck by a panel truck (numbered 7069), in the service of the United States Navy.

Grace D. Lester.
Payment to.

SEC. 2. 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 Grace D. Lester, the wife of Hiram O. Lester, of Glendale, California, the sum of \$2,642.59. The payment to the said Grace D. Lester shall be in full settlement of all claims against the United States for hospital, medical, and other expenses, and for damages sustained on account of the injuries received by the said Grace D. Lester, who was a passenger in the car of Hiram O. Lester, her husband, in the collision described in section 1.

Florence E. Dawson.
Payment to.

SEC. 3. 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 Florence E. Dawson, of Glendale, California, the sum of \$4,000. The payment to the said Florence E. Dawson shall be in full settlement of all claims against the United States for hospital, medical, and other expenses, and for damages sustained on account of injuries received by the said Florence E. Dawson, who was a passenger in the car of Hiram O. Lester, in the collision described in section 1: *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 these claims, 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.

Approved, February 25, 1942.

[CHAPTER 122]

AN ACT

February 27, 1942
[H. R. 4179]
[Private Law 306]

To confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Allen Pope, his heirs or personal representatives, against the United States.

Allen Pope.
Jurisdiction of
Court of Claims to
hear claims of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction be, and the same is hereby, conferred upon the Court of Claims of the United States, notwithstanding any prior determination, any statute of limitations, release, or prior acceptance of partial allowance, to hear, determine, and render judgment upon the claims of Allen Pope, his heirs or personal representatives, against the United States, as described and in the manner set out in section 2 hereof, which claims arise out of the construction by him of a tunnel for the second high service of the water supply in the District of Columbia.

Items to be considered.

SEC. 2. The Court of Claims is hereby directed to determine and render judgment at contract rates upon the claims of the said Allen Pope, his heirs or personal representatives, for certain work performed for which he has not been paid, but of which the Government has received the use and benefit; namely, for the excavation and concrete work found by the court to have been performed by the said Pope in complying with certain orders of the contracting officer, whereby the plans for the work were so changed as to lower the upper "B" or "pay" line three inches, and as to omit the timber lagging from the side walls of the tunnel; and for the work of excavating materials which caved in over the tunnel arch and for filling such

caved-in spaces with dry packing and grout, as directed by the contracting officer, the amount of dry packing to be determined by the liquid method as described by the court and based on the volume of grout actually used, and the amount of grout to be as determined by the court's previous findings based on the number of bags of cement used in the grout actually pumped into the dry packing.

SEC. 3. Any suit brought under the provisions of this Act shall be instituted within one year from the date of the approval hereof, and the court shall consider as evidence in such suit any or all evidence heretofore taken by either party in the case of Allen Pope against the United States, numbered K-366, in the Court of Claims, together with any additional evidence which may be taken.

SEC. 4. From any decision or judgment rendered in any suit presented under the authority of this Act, a writ of certiorari to the Supreme Court of the United States may be applied for by either party thereto, as is provided by law in other cases.

Approved, February 27, 1942.

Institution of suit.

Writ of certiorari.

[CHAPTER 125]

AN ACT

For the relief of the estate of Charles D. Talbert, deceased.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, 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, the sum of \$5,000 to the estate of Charles D. Talbert, deceased, in full settlement of all claims against the United States. Such sum represents damages on account of the death of Staff Sergeant Charles D. Talbert, Army serial number **XXXX**, Headquarters Company, Third Battalion, Sixty-sixth Regiment United States Infantry, on April 19, 1939, at Fort Devens, Massachusetts, who was killed by a blast of dynamite negligently set off by employees of the War Department: *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, March 3, 1942.

March 3, 1942
[H. R. 793]
[Private Law 307]

Charles D. Talbert.
Payment to estate
of.

Proviso.

[CHAPTER 131]

AN ACT

For the relief of Richard Bove.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, 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 Richard Bove, New York City, New York, the sum of \$400. The payment of such sum represents reimbursement for the loss sustained by the said Richard Bove as surety on a bond conditioned upon the departure from the United States of the alien Carlo Bove. By reason of the failure of the said Carlo Bove to depart in accordance with the terms of the bond, such bond was forfeited and the amount of the bond was covered into the Treasury of the United States. The said Carlo Bove was deported from the port of New York, New York, on February 17, 1940: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or

March 4, 1942
[H. R. 691]
[Private Law 306]

Richard Bove.
Payment to.

Proviso.