

County Commissioners of Fergus County, Montana, the sum of \$1,166.88, in full settlement of all claims against the United States for the cost of labor and supplies furnished during September 1937 in extinguishing a forest fire on land owned by the United States, under jurisdiction of the Department of the Interior, in the Judith Mountains, Fergus County, Montana: *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, June 25, 1938.

[CHAPTER 774]

JOINT RESOLUTION

To authorize sales and exchanges by the State of Wisconsin notwithstanding certain provisions in the Act of August 22, 1912 (37 Stat. 324).

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the restrictions and limitations in the Act of August 22, 1912 (37 Stat. 324), entitled "An Act granting unsurveyed and unattached islands to the State of Wisconsin for forestry purposes", the State of Wisconsin is hereby authorized to sell or exchange any of the islands granted to it by the said Act of August 22, 1912, which are not valuable for forestry purposes, on condition that the proceeds from any such sale or that the land acquired by the State in any such exchange shall be devoted to State forestry purposes.

Approved, June 28, 1938.

[CHAPTER 775]

AN ACT

To revise the boundaries of the Colonial National Historical Park in the State of Virginia, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subject to all the laws and regulations applicable to the Colonial National Historical Park, the boundaries of said historical park as established by the Act of June 5, 1936 (49 Stat. 1483), and as defined by Presidential Proclamation Numbered 2055, dated August 22, 1933 (48 Stat. 1706), are hereby revised by the elimination of the parkway area described in said proclamation as running north and west of the city of Williamsburg to Jamestown Island, and the substitution therefor of a parkway area running southerly through or around the city of Williamsburg, thence continuing south of said city to the James River and thence along said river and connecting waters to Jamestown Island, the exact location of which shall be determined by the Secretary of the Interior: *Provided*, That said parkway area shall not exceed an average of five hundred feet in width outside the city of Williamsburg: *And provided further*, That condemnation proceedings shall not be had, exercised, or resorted to as to any lands in the city of Williamsburg except such lands as may be required for a right-of-way not exceeding two hundred feet in width through said city to connect with highways or parkways leading from Williamsburg to Jamestown and Yorktown.

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

Penalty for violation.

June 28, 1938
[H. J. Res. 281]
[Pub. Res., No. 126]

State of Wisconsin.
Sale or exchange of certain land.
37 Stat. 324.

June 28, 1938
[S. 3560]
[Public, No. 753]

Colonial National
Historical Park, Va.

49 Stat. 1483; 48
Stat. 1706.
16 U. S. C., Supp.
III, §§ 443, 443a.
Parkway changes.

Provisos.
Maximum width.

Condemnation proceedings; restriction.

SEC. 2. The Secretary of the Interior is hereby authorized, in his discretion, to acquire by purchase, donation, or otherwise, in behalf of the United States, such lands or interests in lands, easements, and buildings comprising the following: Glass House Point, in James City County; the area known as "The Hook", including the site of the action of October 3, 1781, in Gloucester County; and such additional lands as are desirable for the proper rounding out of the boundaries and for the administrative control of the Colonial National Historical Park: *Provided*, That the total acreage of lands to be added to the park, with the exception of parkways under the terms hereof shall not exceed seven hundred and fifty acres: *Provided further*, That the said acquisition of lands or improvements shall be made from such funds as may be appropriated pursuant to the authorization of the Act of March 3, 1931 (46 Stat. 1490).

Approved, June 28, 1938.

Acquisitions for rounding out boundaries.

Provisos.
Maximum addition.

Funds available.

46 Stat. 1490.
16 U. S. C. § 443c.

[CHAPTER 776]

AN ACT

Conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians or any Tribe or Band thereof may have against the United States, and for other purposes.

June 28, 1938
[H. R. 3162]
[Public, No. 754]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred on the United States Court of Claims to hear, determine, and render final judgment on all legal and equitable claims of whatsoever nature which the Ute Indians or any tribe or band or any constituent¹ band thereof, may have against the United States, including, but without limiting the generality of the foregoing, claims arising under or growing out of any treaty or agreement of the United States, law of Congress, Executive order, or by reason of any lands taken from them, without compensation, or for the failure or refusal of the United States to protect the interest of any of said bands in lands (as to which any of said bands had the possessory right of use and occupancy), or because of any mismanagement or wrongful handling of any of the funds, land, property, or business enterprises belonging to or held in trust for any of said bands by the United States, or any misfeasance or nonfeasance on the part of the United States with respect thereto, or otherwise.

Ute Indians.
Jurisdiction conferred on Court of Claims to hear, etc., claims of.

SEC. 2. Suit or suits under this Act may be instituted by any of the aforesaid bands of Indians (each band to have the right to sue for constituent bands comprising said band), either separately or jointly, as party or parties plaintiff against the United States as party defendant, by filing within five years of the enactment of this Act its or their petition or petitions in the Court of Claims and serving with respect to each suit, a copy thereof on the Attorney General of the United States who, either in person or by some attorney from the Department of Justice to be designated by him, shall appear and defend the interests of the United States. Such petition or petitions shall set forth the facts on which the claim or claims for recovery is or are based and shall be verified by the attorney or attorneys employed by said band or bands of Ute Indians, under contracts approved in accordance with existing law, to prosecute said claims, which may be made upon information and belief, and no other verification shall be necessary. The petition or petitions shall be subject to amendment at any time prior to final submission of the case to the Court of Claims. Such petition or petitions may, in addition to alleg-

Presentation of claims.

Time limitation for filing petition.
Service on Attorney General.

Amendments to petition.

Audit of accounts.

¹ So in original.