

May 1, 1926.
[H. R. 8132.]
[Public, No. 166.]

CHAP. 209.—An Act Granting pensions and increase of pensions to certain soldiers and sailors of the war with Spain, the Philippine insurrection, or the China relief expedition, to certain maimed soldiers, to certain widows, minor children, and helpless children of such soldiers and sailors, and for other purposes.

Pensions.
For 90 days' service,
war with Spain, Philip-
pine insurrection, or
China relief expedition.

If discharged for dis-
ability.

Rating

Provisos.
Service pensions after
age of 62.

Leaves of absence in-
cluded in service.

Female nurses.

Widows of persons
serving 90 days, etc., in
war with Spain, etc.,
granted increase of pen-
sion.
Vol. 42, p. 834, amend-
ed.

Leaves of absence in-
cluded in pensionable
service.

New rate.

Remarried, on death,
etc., of subsequent hus-
band.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons who served ninety days or more in the military or naval service of the United States during the war with Spain, the Philippine insurrection, or the China relief expedition, and who have been honorably discharged therefrom, or who, having served less than ninety days, were discharged for disability incurred in the service in line of duty, and who are now or who may hereafter be suffering from any mental or physical disability or disabilities of a permanent character not the result of their own vicious habits which so incapacitates them for the performance of manual labor as to render them unable to earn a support, shall, upon making due proof of the fact, according to such rules and regulations as the Secretary of the Interior may provide, be placed upon the list of invalid pensioners of the United States and be entitled to receive a pension not exceeding \$50 a month and not less than \$20 a month, proportioned to the degree of inability to earn a support, and in determining such inability each and every infirmity shall be duly considered and the aggregate of the disabilities shown shall be rated: *Provided*, That any such person who has reached the age of sixty-two years shall, upon making proof of such fact, be placed upon the pension roll and entitled to receive a pension of \$20 a month; in case such person has reached the age of sixty-eight years, \$30 a month; in case such person has reached the age of seventy-two years, \$40 a month; and in case such person has reached the age of seventy-five years, \$50 a month: *Provided further*, That all leaves of absence and furloughs under General Orders, Numbered 130, August 29, 1898, War Department, shall be included in determining the period of pensionable service: *Provided further*, That the provisions, limitations, and benefits of this section be, and hereby are, extended to and shall include any woman who served honorably as a nurse, chief nurse, or superintendent of the Nurse Corps under contract for ninety days or more between April 21, 1898, and February 2, 1901, inclusive, and to any such nurse, regardless of length of service, who was released from service before the expiration of ninety days because of disability contracted by her while in the service in line of duty.

Sec. 2. The widow of any officer or enlisted man who served ninety days or more in the Army, Navy, or Marine Corps of the United States during the war with Spain, the Philippine insurrection, or the China relief expedition, between April 21, 1898, and July 4, 1902, inclusive, service to be computed from date of enlistment to date of discharge, and that all leaves of absence and furloughs under General Orders, Numbered 130, August 29, 1898, War Department, shall be included in determining the period of pensionable service, and was honorably discharged from such service, or, regardless of the length of service, was discharged for or died in service of a disability incurred in the service in line of duty, such widow having married such soldier, sailor, or marine prior to September 1, 1922, shall, upon due proof of her husband's death, without proving his death to be the result of his Army or Navy service, be placed upon the pension roll at the rate of \$30 a month during her widowhood. And this section shall apply to a former widow of any officer or enlisted man who rendered service as hereinbefore described and who was honorably discharged, or died in service due to disability or disease incurred in the service

in line of duty, such widow having remarried either once or more after the death of the soldier, sailor, or marine, if it be shown that such subsequent or successive marriage has or have been dissolved, either by the death of the husband or husbands or by divorce on any ground except adultery on the part of the wife and any such former widow shall be entitled to and be paid a pension at the rate of \$30 a month, and any widow or former widow mentioned in this section shall also be paid \$6 a month for each child under sixteen years of age of such officer or enlisted man, and in case there be no widow or one not entitled to pension under any law granting additional pension to minor children the minor children under sixteen years of age of such officer or enlisted man shall be entitled to the pension herein provided for the widow and in the event of the death or remarriage of the widow or forfeiture of the widow's title to pension the pension shall continue from the date of such death, remarriage, or forfeiture to such child or children of such officer or enlisted man until the age of sixteen years: *Provided*, That in case a minor child is insane, idiotic, or otherwise mentally or physically helpless the pension shall continue during the life of such child, or during the period of such disability; and this proviso shall apply to all pensions heretofore granted or hereafter granted under this or any former statute: *Provided further*, That when a pension has been granted to an insane, idiotic, or otherwise helpless child, or to a child or children under the age of sixteen years, a widow or former widow shall not be entitled to a pension under this Act until the pension to such child or children terminates unless such child or children be a member or members of her family and cared for by her; and upon the granting of pension to such widow or former widow payment of pension to such child or children shall cease, and this proviso shall apply to all claims arising under this or any other law.

Allowance to child increased.

To minor children if no widow.

Proviso.
Insane, etc., child.

Restriction on allowing child's pension to widow, etc.

Child's pension to cease.

SEC. 3. Any soldier, sailor, or marine or nurse now on the pension roll or who may be hereafter entitled to a pension under the Act of June 5, 1920, or under that Act as amended by the Act of September 1, 1922, or under this Act on account of his service during the war with Spain, the Philippine insurrection, or China relief expedition, who is now or hereafter may become, on account of age or physical or mental disabilities, helpless or blind, or so nearly helpless or blind as to need or require the regular aid and attendance of another person, shall be given a rate of \$72 a month, provided such disabilities are not the result of his or her own vicious habits: *And provided further*, That no one while an inmate of the United States Soldiers' Home or of any national or State soldiers' home shall be paid more than \$50 per month under this Act.

Increase for pensioner helpless by age, disability, etc.

Vol. 41, p. 982; Vol. 42, p. 834.

Proviso.
Inmates of soldiers' homes.

Provisions applicable to present pensioners.

SEC. 4. That the pension or increase at the rate of pension herein provided for, as to all persons whose names are now on the pension roll, or who are now in receipt of a pension under existing law, shall commence at the rates herein provided on the fourth day of the next month after the approval of this Act; except where otherwise herein provided; and as to persons whose names are not now on the pension roll, or who are not now in receipt of a pension under existing law, but who may be entitled to a pension under the provisions of this Act, such pensions shall commence from the date of filing application therefor in the Bureau of Pensions after the approval of this Act in such form as may be prescribed by the Secretary of the Interior; and the issue of a check in payment of a pension for which the execution and submission of a voucher was not required shall constitute payment in the event of the death of the pensioner on or after the last day

New applicants from date of application.

Check to deceased pensioner an asset of the estate.

of the period covered by such check, and it shall not be canceled, but shall become an asset of the estate of the deceased pensioner.

Army and Navy Honor Roll pensions not affected. Vol. 39, p. 54.

SEC. 5. Nothing contained in this Act shall be held to affect or diminish the additional pension to those on the roll designated as "The Army and Navy Medal of Honor Roll," as provided by the Act of April 27, 1916, but any pension or increase of pension herein provided for shall be in addition thereto, and no pension heretofore granted under any Act, public or private, shall be reduced by anything contained in this Act.

No present pension reduced.

Attorney's fee limited to original pension claims.

SEC. 6. No claim agent, attorney, or other person shall contract for, demand, receive, or retain a fee for service in preparing, presenting, or prosecuting claims for the increase of pension provided for in this Act; and no more than the sum of \$10 shall be allowed for such service in other claims thereunder, which sum shall be payable only on the order of the Commissioner of Pensions; and any person who shall, directly or indirectly, otherwise contract for, demand, receive, or retain a fee for service in preparing, presenting, or prosecuting any claim under this Act, or shall wrongfully withhold from the pensioner or claimant the whole or any part of the pension allowed or due to such pensioner or claimant under this Act, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall, for each and every offense, be fined not exceeding \$500 or be imprisoned not exceeding one year, or both, in the discretion of the court.

Punishment for violations.

Modification of existing laws.

SEC. 7. That all Acts and parts of Acts in conflict with or inconsistent with the provisions of this Act are hereby modified and amended only so far and to the extent as herein specifically provided and stated.

Approved, May 1, 1926.

May 1, 1926. [H. J. Res. 149.] [Pub. Res., No. 22.]

CHAP. 210.—Joint Resolution To provide for membership of the United States in the Central Bureau of the International Map of the World.

International Map of the World. Quota to Central Bureau of, authorized. Post, pp. 867, 1191.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That to enable the United States to become a member of the Central Bureau of the International Map of the World there is hereby authorized to be appropriated the sum of \$30 for the payment of a contribution by the United States toward the expenses of the said bureau for the calendar year 1926.

Approved, May 1, 1926.

May 1, 1926. [H. J. Res. 150.] [Pub. Res., No. 23.]

CHAP. 211.—Joint Resolution To provide for the participation of the United States in a congress to be held in the city of Panama, June, 1926, in commemoration of the centennial of the Pan American Congress which was held in the city of Panama in 1826.

Pan American Congress. Delegates authorized to, in commemoration of Congress in Panama, 1826.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized to appoint delegates to enable the United States to participate in the Pan American Congress to be held in the city of Panama in June, 1926, in commemoration of the centennial of the Pan American Congress which met in that city in June, 1826, and for the expenses of the United States in participating in such conference, including the travel and subsistence expenses of such delegates (notwithstanding the provisions of any other Act), and such miscellaneous and other expenses as the President shall deem proper, there is hereby authorized to be appropriated the sum of \$1,500.

Amount for expenses. Post, p. 867.

Approved, May 1, 1926.