

pound, shall be determined by the Secretary of Agriculture as hereinafter provided. On May 1 of each crop year for which quotas are to be established pursuant to section 15, the Secretary of Agriculture shall determine (from available statistics of the Department of Agriculture) the average sales price per pound, during the preceding twelve months, of all domestic cigar-leaf tobacco the sale of which is to be taxed during the ensuing crop year under this Act. This average sales price, times the average per centum tax rate then current under this Act on the sale of such domestic cigar-leaf tobacco, shall be the rate per pound of the import tax and shall be proclaimed by the Secretary of Agriculture. The import tax shall be paid prior to the release of the tobacco subject thereto from customs custody or control.

Quotas, average sales price, etc., to be determined.

Payment of tax before customs release.

Term construed.

As used in this and the preceding section "cigar-leaf types of tobacco" shall include cigars, which for the purposes of the quotas, allotments, and import tax provided for by said sections shall be translated into terms of raw cigar-leaf tobacco of the respective types from which such cigars are produced, pursuant to conversion factors established and proclaimed by the Secretary of Agriculture.

Approved, June 28, 1934.

[CHAPTER 867.]

AN ACT

To compensate widows and children of persons who died while receiving monetary benefits for disabilities directly incurred in or aggravated by active military or naval service in the World War.

June 28, 1934.  
[H. R. 9936.]  
[Public, No. 484.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the surviving widow, child, or children of any deceased person who served in the World War before November 12, 1918, or if the person was serving with the United States military forces in Russia before April 2, 1920, who, while receiving or entitled to receive compensation, pension, or retirement pay for 30-per-centum disability or more directly incurred in or aggravated by service in the World War, dies or has died from a disease or disability not service connected and not the result of the person's own misconduct shall, upon filing application and such proofs in the Veterans' Administration as the Administrator of Veterans' Affairs may prescribe, be entitled to receive compensation: *Provided,* That the provisions of this Act shall not apply to any person during any year following a year for which such person was not entitled to exemption from the payment of a Federal income tax.

Compensation of widows, etc., of certain veterans.  
Eligibility.

*Proviso.*  
Persons not exempt from income tax.

SEC. 2. That the monthly rates of compensation shall be as follows: Widow but no child, \$22; widow and one child, \$30 (with \$4 for each additional child); no widow but one child, \$15; no widow but two children, \$22 (equally divided); no widow but three children, \$30 (equally divided) (with \$3 for each additional child, total amount to be equally divided).

Rates.

The total compensation payable under this paragraph shall not exceed \$56. Where such benefits would otherwise exceed \$56 the amount of \$56 may be apportioned as the Administrator of Veterans' Affairs may prescribe.

Maximum.  
Apportionment, if exceeding \$56.

SEC. 3. That as used in this Act—

Definitions.  
"Person who served."

(a) The term "person who served" shall mean a person, whether male or female, and whether commissioned, enlisted, enrolled, or drafted, who was finally accepted for active service in the military

or naval forces of the United States, members of training camps authorized by law, and such other persons heretofore recognized by statute as having a pensionable status:

"Widow."

(b) The term "widow" shall mean a person who was married to the veteran prior to July 3, 1931, and who has not remarried;

"Child."

(c) The term "child" shall mean a person unmarried and under the age of eighteen years, unless prior to reaching the age of eighteen the child becomes or has become permanently incapable of self-support by reason of mental or physical defect, who is a legitimate child, a child legally adopted, a stepchild if a member of the man's household, an illegitimate child, but, as to the father only, if acknowledged in writing signed by him or if he has been judicially ordered or decreed to contribute to such child's support, or has been judicially decreed to be the putative father of such child: *Provided*, That the payment of compensation shall be continued after the age of eighteen years and until completion of education or training (but not after such child reaches the age of twenty-one years), to any child who is or may hereafter be pursuing a course of instruction at a school, college, academy, seminary, technical institute, or university, particularly designated by him and approved by the Administrator, which shall have agreed to report to the Administrator the termination of attendance of such child, and if any such institution of learning fails to make such report promptly the approval shall be withdrawn.

*Proviso.*  
Payments to orphans  
passing 18, completing  
education.  
Limit.

Adjudication of  
claims.

SEC. 4. That the Administrator of Veterans' Affairs is authorized and directed to receive evidence and adjudicate claim for compensation under this Act when it is claimed that the veteran was 30 per centum or more disabled immediately prior to his death from disease or injury established to the satisfaction of the Veterans' Administration prior to date of death to have been directly incurred in or aggravated by service in the World War, although a determination of 30-per-centum disability or more had not been made by the Veterans' Administration prior to the veteran's death: *Provided*, That for the purpose of awarding compensation under the provisions of this Act, direct service connection of disability and degree thereof at date of death may be determined in any case where claim has been or is filed by the widow, child, or children of a deceased World War veteran, except that proof of 30-per-centum disability or more at date of death must be filed no later than three years after date of enactment of this Act or the date of death, whichever is the later, and evidence required in connection with any claim must be submitted in accordance with regulations prescribed by the President and/or the Administrator of Veterans' Affairs.

*Proviso.*  
Time for filing claim  
restricted.

Effective date of pay-  
ment.

SEC. 5. That payment shall be effective from the date of enactment of this Act in all cases where death occurred prior to the date of enactment of this Act and in all other cases payment shall be made from the date the application of the widow, child, or children in the form prescribed by the Administrator of Veterans' Affairs, is filed in the Veterans' Administration: *Provided*, That a claim for pension or compensation under Public Law Numbered 2, Seventy-third Congress, and the Veterans' Regulations, or Public Law Numbered 141, Seventy-third Congress, on account of death of a veteran from directly service-connected disability shall be accepted as a claim for benefits under this Act.

*Proviso.*  
Acceptance of claims  
under specified Acts  
authorized.  
*Ante*, pp. 8, 524.

Approved, June 28, 1934.