AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

June 2, 1930.
[S. 476.]
[Public, No. 299.]

CHAP. 375.—An Act Granting pensions and increase of pensions to certain soldiers, sailors, and nurses of the war with Spain, the Philippine insurrection, or the China relief expedition, and for other purposes.

Pensions.
For 90 days' service, war with Spain, Philippine insurrection, or China relief expedition.
Or if discharged for disability.
Vol. 44, p. 382, amended.
U. S. C., Supp. IV, p. 522.
Post, p. 1016.
Rating.
Disability classification.

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 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 pensions of the United States and be entitled to receive a pension not exceeding $60 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. These rates to be fixed as follows: $20 a month for one-tenth disability; $25 a month for one-fourth disability; $35 a month for one-half disability; $50 a month for three-fourths disability; and $60 a month for total: *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 $30 a month; in case such person has reached the age of sixty-eight years, $40 a month; in case such person has reached the age of seventy-two years, $50 a month; and in case such person has reached the age of seventy-five years, $60 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 the ninety days because of disability contracted by her while in the service in line of duty.

Provisos.
Increases after age of 62.
Leaves of absence included as in service.
Female contract nurses.

Increase for pensioner helpless by age, disability, etc., requiring an attendant.
Vol. 41, p. 982; Vol. 42, p. 834; Vol. 44, p. 382.
U. S. C., Supp. IV, p. 517.

SEC. 2. 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 the Act of May 1, 1926, 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*, 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.

Proviso.
Soldiers' homes inmates.

For 70 days service war with Spain, Philippine insurrection, or China relief expedition.
Or if discharged for disability.

SEC. 3. That all persons who served seventy 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, and who are now or who may hereafter be suffering from any mental or physical

disability or disabilities of a permanent character 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 $30 a month and not less than $12 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. These rates to be fixed as follows: $12 a month for one-tenth disability, $15 a month for one-fourth disability, $18 a month for one-half disability, $24 a month for three-fourths disability, and $30 a month for total: *Provided*, That any 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 $12 a month; in case such person has reached the age of sixty-eight years, $18 a month; in case such person has reached the age of seventy-two years, $24 a month; and in case such person has reached the age of seventy-five years, $30 a month: *Provided further*, That all leaves of absence and furloughs under General Orders, Numbered 130, War Department, August 29, 1898, 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 seventy days or more between April 21, 1898, and February 2, 1901, inclusive.

Post, p. 1016.

Rating.

Disability classifications.

Provisos.
Increase after age of 62.

Leaves of absence included as service.

Female contract nurses.

SEC. 4. Any soldier, sailor, marine, or nurse who may be entitled to a pension under section 3 of this Act on account of his service during the war with Spain, the Philippine insurrection, or China relief expedition, who 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 $50 a month: *Provided*, 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 if such pensioner helpless, by age, disability, etc., requiring attendant.

Proviso.
Soldiers' Home inmates.

SEC. 5. That the pension or increased rate of pension herein provided for 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, provided they are entitled to a pension under the provisions of this Act, 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 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.

Commencement from date of filing application.

Post, p. 1016.

Payment, if pensioner deceased.

SEC. 6. 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 in this Act.

Army and Navy Honor Roll pensions not affected.

Vol. 39, p. 54.

Post, p. 1016.

No present pension reduced.

SEC. 7. No claim agent, attorney, or other person engaged in preparing, presenting, or prosecuting any claim under the provisions of this Act shall, directly or indirectly, contract for, demand, receive, or retain any fee for such services in preparing, presenting, or

No fee allowed agents, etc., for claim of person already on roll.

prosecuting claims when claimant is already on the pension rolls under the Act of May 1, 1926, or any other prior pensions Acts:

Proviso. Fees limited to original pension claims.

Provided, That no claim agent, attorney, or other person engaged in preparing, presenting, or prosecuting any original pension claim under the provisions of this Act shall, directly or indirectly, contract for, demand, receive, or retain for such services in preparing, presenting, or prosecuting such original pension claim, a sum in excess of $10, which sum shall be payable upon the order of the Commissioner of Pensions under such rules and regulations as he may deem proper to make; and no claim agent, attorney, or other person shall contract for, demand, receive, or retain a fee for services in preparing, presenting, or prosecuting claims for increase of pension under the provisions of this Act; and any person who shall, directly or indirectly, otherwise, contract for, demand, or retain a fee for services 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.

Forbidden for increase of pension under this Act.

Punishment for violations.

Pensions under former laws, etc., not reduced. Vol. 41, p. 982; Vol. 42, p. 834; Vol. 44, p. 382.

SEC. 8. That nothing contained in the provisions of this Act shall be construed to diminish or reduce any pension heretofore granted under the prior Acts of June 5, 1920; September 1, 1922; or May 1, 1926.

Modification of existing laws.

SEC. 9. 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.

NICHOLAS LONGWORTH,
Speaker of the House of Representatives.

CHARLES CURTIS,
Vice President of the United States and President of the Senate.

IN THE SENATE OF THE UNITED STATES,
Legislative Day, May 29, 1930, Calendar Day, June 2, 1930.

Passage by the Senate.

The Senate having proceeded, in pursuance of the Constitution, to reconsider the bill (S. 476) entitled "An act granting pensions and increase of pensions to certain soldiers, sailors, and nurses of the war with Spain, the Philippine insurrection, or the China relief expedition, and for other purposes," returned by the President of the United States, with his objections, to the Senate, in which it originated, it was—

Resolved, That the bill pass, two-thirds of the Senate agreeing to the same.

Attest:

EDWIN P. THAYER,
Secretary.

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
June 2, 1930.

Passage by the House of Representatives.

The House of Representatives having proceeded to reconsider the bill (S. 476) entitled "An act granting pensions and increase of pensions to certain soldiers, sailors, and nurses of the war with Spain, the Philippine insurrection, or the China relief expedition, and for other purposes," returned by the President of the United

States with his objections, to the Senate, in which it originated, and passed by the Senate on reconsideration of the same, it was—

Resolved, That the said bill pass, two-thirds of the House of Representatives agreeing to pass the same.

Attest:

WM. TYLER PAGE,
Clerk.

I certify that this Act originated in the Senate. Certificate.

EDWIN P. THAYER,
Secretary.

June 3, 1930.
[H. R. 185.]
[Public, No. 300.]

CHAP. 394.—An Act To amend section 180, title 28, United States Code, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 99 of the Act to codify, revise, and amend the laws relating to the judiciary, as amended by the Act of April 10, 1926 (section 180, title 28, United States Code), be amended to read as follows:

United States Courts.
Vol. 26, p. 67; Vol. 36, p. 1126.
U. S. C., p. 886.
Vol. 44, p. 237.
U. S. C., Supp. IV, p. 430.

"SEC. 99. That the State of North Dakota shall constitute one judicial district, to be known as the district of North Dakota. The territory embraced on the 1st day of January, 1916, in the counties of Burleigh, Logan, McIntosh, Emmons, Kidder, McLean, Adams, Bowman, Dunn, Hettinger, Morton, Stark, Golden Valley, Slope, Sioux, Oliver, Mercer, and Billings shall constitute the southwestern division of said district; and the territory embraced on the date last mentioned in the counties of Cass, Richland, Barnes, Sargent, Ransom, and Steele shall constitute the southeastern division; and the territory embraced on the date last mentioned in the counties of Grand Forks, Traill, Walsh, Pembina, Cavalier, and Nelson shall constitute the northeastern division; and the territory embraced on the date last mentioned in the counties of Ramsey, Benson, Towner, Rolette, Bottineau, Pierce, and McHenry shall constitute the northwestern division; and the territory embraced on the date last mentioned in the counties of Ward, Williams, Divide, Mountrail, Burke, Renville, and McKenzie shall constitute the western division; and the territory embraced on the date last mentioned in the counties of Griggs, Foster, Eddy, Wells, Sheridan, Stutsman, La Moure, and Dickey shall constitute the central division. The several Indian reservations and parts thereof within said State shall constitute a part of the several divisions within which they are respectively situated. Terms of the district court for the southwestern division shall be held at Bismarck on the first Tuesday in March; for the southeastern division, at Fargo, on the first Tuesday in December; for the northeastern division, at Grand Forks, on the second Tuesday in November; for the northwestern division, at Devils Lake, on the first Tuesday in October; for the western division, at Minot, on the third Tuesday in October; and for the central division, at Jamestown, on the last Tuesday in February. The clerk of the court shall maintain an office in charge of himself or a deputy at each place at which court is held in his district: *Provided*, That until such time as a new public building be erected at the city of Fargo, all jury cases now pending in the southeastern division, or hereafter brought there, be tried at Grand Forks."

North Dakota judicial district.

Southwestern division.

Southeastern division.

Northeastern division.

Northwestern division.

Western division.

Central division.

Assignment of Indian reservations.

Terms.

Offices of clerk, etc.

Proviso.
Terms at Grand Forks, pending erection of public building at Fargo.

Approved, June 3, 1930.