

[CHAPTER 35]

AN ACT

February 25, 1946

[S. 50]

[Public Law 306]

To permit settlement of accounts of deceased officers and enlisted men of the Army, Navy, Marine Corps, and Coast Guard, and of deceased commissioned officers of the Public Health Service, without administration of estates.

Settlement of accounts of deceased personnel.
Navy, Marine Corps, and Coast Guard.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, hereafter, in the settlement of the accounts of deceased officers or enlisted persons of the Navy, Marine Corps, and Coast Guard, where no demand is presented by a duly appointed legal representative of the estate, the accounting officers may allow the amount found due to the decedent's widow, widower, or legal heirs in the following order of precedence: First, to the widow or widower; second, if decedent left no widow or widower, or the widow or widower be dead at time of settlement, then to the children or their issue, per stirpes; third, if no widow, widower, or descendants, then to the father and mother in equal parts; fourth, if either the father or mother be dead, then to the one surviving; fifth, if there be no widow, widower, child, father, or mother at the date of settlement, then to the brothers and sisters and children of deceased brothers and sisters, per stirpes: *Provided*, That this Act shall not be so construed as to prevent payment from the amount due the decedent's estate of funeral expenses, provided a claim therefor is presented by the person or persons who actually paid the same before settlement by the accounting officers.

Funeral expenses.

Public Health Service.
58 Stat. 711.
42 U. S. C., Supp. V, § 225 (a).
Repeal.

SEC. 2. Section 507 (a) of the Public Health Service Act (58 Stat. 682) is amended by striking out the words "the amount due the decedent's estate is less than \$1,000 and".

34 U. S. C., Supp. V, § 941.

SEC. 3. The following statutes or parts of statutes are hereby repealed: The last paragraph under the heading "Back Pay and Bounty" in chapter 200, Thirty-fifth Statutes at Large, 317 (which paragraph is the fourth paragraph on page 373), as amended.

Army.

SEC. 4. The paragraph of the Act entitled "An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1907, and for other purposes", approved June 30, 1906 (34 Stat. 750), as amended by the Act of December 7, 1944 (58 Stat. 795), which related to the settlement of accounts of deceased officers and enlisted men of the Army, is amended to read as follows:

10 U. S. C., Supp. V, § 868.

"Hereafter in the settlement of the accounts of deceased officers or enlisted persons of the Army, where no demand is presented by a duly appointed legal representative of the estate, the accounting officers may allow the amount found due to the decedent's widow, widower, or legal heirs in the following order of precedence: First, to the widow or widower; second, if decedent left no widow or widower, or the widow or widower be dead at time of settlement, then to the children or their issue, per stirpes; third, if no widow, widower, or descendants, then to the father and mother in equal parts; fourth, if either the father or mother be dead, then to the one surviving; fifth, if there be no widow, widower, child, father, or mother at the date of settlement, then to the brothers and sisters and children of deceased brothers and sisters, per stirpes: *Provided*, That this Act shall not be so construed as to prevent payment from the amount due the decedent's estate of funeral expenses, provided a claim therefor is presented by the person or persons who actually paid the same before settlement by the accounting officers."

Funeral expenses.

Approved February 25, 1946.