

and the first Monday in November: *Provided*, That suitable accommodations for holding the courts at Winchester, Columbia, and Cookeville shall be provided by the local authorities without expense to the United States. The western district shall include the territory embraced on the 1st day of July, 1910, in the counties of Dyer, Fayette, Haywood, Lauderdale, Shelby, and Tipton, which shall constitute the western division of said district; also the territory embraced on the date last mentioned in the counties of Benton, Carroll, Chester, Crockett, Decatur, Gibson, Hardeman, Hardin, Henderson, Henry, Lake, McNairy, Madison, Obion, Perry, and Weakley, including the waters of the Tennessee River to low-water mark on the eastern shore thereof wherever such river forms the boundary line between the western and middle districts of Tennessee, from the north line of the State of Alabama, north to the point, Henry County, Tennessee, where the south boundary line of the State of Kentucky strikes the east bank of the river, which shall constitute the eastern division of said district. Terms of the district court for the western division of said district shall be held at Memphis on the fourth Mondays in May and November; and for the eastern division at Jackson on the fourth Mondays in April and October. The clerk of the court for the western district shall appoint a deputy who shall reside at Jackson. The marshal for the western district shall appoint a deputy who shall reside at Jackson. The marshal for the eastern district shall appoint a deputy who shall reside at Chattanooga. The clerk of the court for the eastern district shall maintain an office in charge of himself or a deputy at Knoxville, at Chattanooga, and at Greeneville, which shall be kept open at all times for the transaction of the business of the court."

*Proviso.*  
Accommodations.

Western district.  
Western division.

Eastern division.

Terms.

Offices of clerk at  
Knoxville, Chattanooga,  
and Greeneville.

Approved, March 4, 1923.

**CHAP. 290.**—An Act To authorize bridging the Ohio River at Moundsville, West Virginia.

March 4, 1923.  
[H. R. 14351.]  
[Public, No. 541.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Marshall-Belmont Bridge Company, a corporation organized and existing under the laws of the State of West Virginia, its successors and assigns, is hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Ohio River at a point suitable to the interests of navigation near the central portion of the City of Moundsville, West Virginia, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Ohio River.  
Marshall-Belmont  
Bridge Company may  
bridge, Moundsville,  
W. Va.

Construction.  
Vol. 34, p. 84.

**SEC. 2.** That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, March 4, 1923.

**CHAP. 291.**—An Act To amend and modify the War Risk Insurance Act.

March 4, 1923.  
[H. R. 14401.]  
[Public, No. 542.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 29 of the War Risk Insurance Act as amended by Act approved August 9, 1921, is hereby amended to read as follows:

War Risk Insurance  
Act Amendments.  
*Ante*, p. 152, amend-  
ed.

"**SEC. 29.** The discharge or dismissal of any person from the military or naval forces on the ground that he is guilty of mutiny, treason, spying, or any offense involving moral turpitude, or willful and persistent misconduct, of which he has been found guilty

Compensation and  
insurance benefits.  
Discharge for specifi-  
ed causes a bar to  
payments of, etc.

Vol. 40, pp. 409, 614.

Vol. 40, pp. 405, 409, 611, 614.

*Provisos.*  
Converted insurance payment.

Enemy alien in United States service during World War entitled to war risk benefits, etc.

Persons dishonorably discharged by court-martial, subsequently found to have been insane.

Retroactive effect of amended section.

Death or disability compensation.

Officers, enlisted men entitled to, for injury, etc., incurred after April 6, 1917.

*A note*, p. 153, amended.

Payment to person or dependents.

Willful misconduct exclusion.

Soundness on entrance inferred if in active service November 11, 1918.

Recorded defects excepted.

*Provisos.*

by a court-martial, or that he is an enemy alien, conscientious objector, or a deserter, shall terminate any insurance granted on the life of such person under the provisions of Article IV and shall bar all rights to any compensation under Article III or any insurance under Article IV: *Provided*, That, as to converted insurance, the cash surrender value thereof, if any, on the date of such discharge or dismissal shall be paid the insured, if living, and if dead to the designated beneficiary: *Provided further*, That an enemy alien who volunteered or who was drafted into the Army, Navy, or Marine Corps of the United States during the World War, and who was not discharged from the service on his own application or solicitation by reason of his being an enemy alien, and whose service was honest and faithful, shall be entitled to the benefits of the War Risk Insurance Act, and all amendments thereto: *Provided further*, That in case any person has been dishonorably discharged from the military or naval forces as a result of a court-martial trial, and it is thereafter established to the satisfaction of the director that at the time of the commission of the offense resulting in such court-martial trial and discharge that such person was insane, such person shall be entitled to the compensation and insurance benefits of the War Risk Insurance Act: *Provided further*, That this section as amended shall be deemed to be in effect as of April 6, 1917, and the director is hereby authorized and directed to make provision by bureau regulation for payment of any insurance claim or adjustment in insurance premium account of any insurance contract which would not now be affected by this section as amended."

SEC. 2. That section 300 of the War Risk Insurance Act, as amended by the Act approved August 9, 1921, is hereby amended to read as follows:

"SEC. 300. For death or disability resulting from personal injury suffered or disease contracted in the line of duty on or after April 6, 1917, or for an aggravation of a disability existing prior to examination, acceptance, and enrollment for service, when such aggravation was suffered and contracted in the line of duty on or after April 6, 1917, by any commissioned officer or enlisted man, or by any member of the Army Nurse Corps (female) or of the Navy Nurse Corps (female) when employed in the active service under the War Department or Navy Department, the United States shall pay to such commissioned officer or enlisted man, member of the Army Nurse Corps (female) or of the Navy Nurse Corps (female) or, in the discretion of the director, separately to his or her dependents, compensation as hereinafter provided; but no compensation shall be paid if the injury, disease, or aggravation has been caused by his own willful misconduct. That for the purposes of this section every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department who was discharged or who resigned prior to August 9, 1921, and every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department on or before November 11, 1918, who on or after August 9, 1921, is discharged or resigns, shall be conclusively held and taken to have been in sound condition when examined, accepted, and enrolled for service, except as to defects, disorders, or infirmities, made of record in any manner by proper authorities of the United States at the time of, or prior to, inception of active service, to the extent to which any such defect, disorder, or infirmity was so made of record: *Provided*, That an ex-service man who is shown

to have a neuropsychiatric disease or an active tuberculous disease developing a 10 per centum degree of disability or more in accordance with the provisions of subdivision (2) of section 302 of the War Risk Insurance Act, as amended, and such showing was also made upon examination by a medical officer of the Veterans' Bureau or by a legally qualified physician made within three years after separation from the active military or naval service of the United States, shall be considered to have acquired his disability in such service or to have suffered an aggravation of a preexisting neuropsychiatric disease or tuberculosis, in such service, but nothing in this proviso shall be construed to prevent a claimant from receiving the benefits of compensation and medical care and treatment for a disability due to these diseases of more than 10 per centum degree (in accordance with the provisions of subdivision (2), section 302, of the War Risk Insurance Act as amended) at a date more than three years after separation from such service if the facts of the case substantiate his claim: *And provided further*, That compensation as hereinafter provided may be paid for disability resulting from personal injury or disease contracted in line of duty prior to April 6, 1917, or for aggravation of a disability existing prior to examination, acceptance, and enrollment for service for such aggravation suffered and contracted in line of duty prior to April 6, 1917, by any member of the military or naval forces in active service on April 6, 1917, who was discharged subsequent to April 6, 1917. With the exception of members of the military and naval forces whose injury was suffered or disease contracted prior to April 6, 1917, this section shall be deemed to be in effect as of April 6, 1917."

SEC. 3. That subdivision (g) of section 301 of the War Risk Insurance Act, as amended by the Act approved December 24, 1919, is hereby amended to read as follows:

"(g) (1) If there is a dependent mother (or dependent father), \$20, or both \$30. The amount payable under this subdivision shall not exceed the difference between the total amount payable to the widow and children and the sum of \$75. This compensation shall be payable for the death of but one child, and no compensation for the death of a child shall be payable if the dependent mother is in receipt of compensation under the provisions of this article for the death of her husband. Such compensation shall be payable whether the dependency of the father or mother or both arises before or after the death of the person, but no compensation shall be payable if the dependency arises more than five years after the death of the person.

"(2) If death occur or shall have occurred subsequent to April 6, 1917, and before discharge or resignation from the service, the United States shall pay for burial expenses and the return of body to his home a sum not to exceed \$100, as may be fixed by regulation. Where a veteran of any war dies after discharge or resignation from the service and does not leave sufficient assets to meet the expense of his burial and the transportation of his body, and such expenses are not otherwise provided for, the United States Veterans' Bureau shall pay the following sums: For a flag to drape the casket, and after burial to be given to the next of kin of the deceased, a sum not exceeding \$5; also for burial expenses, a sum not exceeding \$100, to such person or persons as may be fixed by regulations: *Provided*, That subject to regulations, where death occurs while such person is receiving governmental medical, surgical or hospital treatment or vocational training, the United States Veterans' Bureau shall pay, in addition to burial expenses, the actual and necessary cost of the transportation of the body of such person (including preparation of the body) to the place of burial within the continental limits of the United States.

Development of mental or tuberculous diseases in three years after leaving service inferred as incurred there-in.  
Vol. 41, p. 373.

Claims if developed later.

Payment to persons in active military or naval service April 6, 1917, for disability existing prior thereto, and discharged thereafter.

Effective from April 1, 1917.  
Exception.

Death allowances.

Dependent parents.  
Vol. 40, p. 612, amended.

Limitations.

Burial expenses.

Allowance from Veterans' Bureau for burial of any veteran.

Proviso.  
Transportation of body if death occurred during hospital, etc., treatment.

Term for widow.

"(3) The payment of compensation to a widow shall continue until her death or remarriage.

Payments to children.

"(4) The payment of compensation to or for a child shall continue until such child reaches the age of eighteen years or marries, or if such child be incapable because of insanity, idiocy, or being otherwise permanently helpless, then during such incapacity.

Termination of rights.

"(5) Whenever the compensation payable to or for the benefit of any person under the provisions of this section is terminated by the happening of the contingency upon which it is limited, the compensation thereafter for the remaining beneficiary or beneficiaries, if any, shall be the amount which would have been payable to them if they had been the sole original beneficiaries.

Children not with mother.

"(6) As between the widow and the children not in her custody, and as between children, the amount of compensation shall be apportioned as may be prescribed by regulation.

Widow restriction.

"(7) The term 'widow' as used in this section shall not include one who shall have married the deceased later than ten years after the time of injury, and shall include widower whenever his condition is such that if the deceased person were living he would have been dependent upon her for support.

In effect as of April 6, 1917.

*Proviso.*  
Deductions of amounts paid prior to October 6, 1917.

"(8) That section 301 of the War Risk Insurance Act, as amended, shall be deemed to be in effect as of April 6, 1917: *Provided, however,* That before compensation thereunder shall be paid there shall first be deducted from said sum so to be paid the amount of any payments such person may have received by way of gratuities or payments under pension laws in force and existence between April 6, 1917, and October 6, 1917."

Disability compensation.

SEC. 4. That subdivision (6) of section 302 of the War Risk Insurance Act, is hereby amended to read as follows:

Medical services, surgical appliances, etc., to be furnished.  
Vol. 41, p. 374, amended.

"(6) In addition to the compensation above provided, the injured person shall be furnished by the United States such reasonable governmental medical, surgical, and hospital services and with such supplies, including wheel chairs, artificial limbs, trusses, and similar appliances, as the director may determine to be useful and reasonably necessary, which wheeled chairs, artificial limbs, trusses, and similar appliances may be procured by the United States Veterans' Bureau in such manner, either by purchase or manufacture, as the director may determine to be advantageous and reasonably necessary: *Provided,* That nothing in this Act shall be construed to affect the necessary military control over any member of the Military or Naval Establishments before he shall have been discharged from the military or naval service: *Provided,* That all hospital facilities under the control and jurisdiction of the United States Veterans' Bureau, shall be available for veterans of the Spanish-American War, the Philippine insurrection, and the Boxer rebellion, suffering from neuropsychiatric or tubercular ailments and diseases, including transportation as granted to those receiving compensation and hospitalization under the War Risk Insurance Act."

*Proviso.*  
Status before discharge from service.

Hospital facilities, etc., available to Spanish War, etc., veterans, with mental or tubercular diseases.

*Ante,* p. 154, amended.

SEC. 5. That section 306 of the War Risk Insurance Act, as amended by the Act approved August 9, 1921, is hereby amended to read as follows:

Compensation not payable unless occurring within one year after leaving service.

"SEC. 306. That no compensation shall be payable for death or disability which does not occur prior to or within one year after discharge or resignation from the service, except that where after medical examination made on evidence submitted pursuant to regulations, a certificate has been obtained from the director at the time of discharge or resignation from the service or prior to the expiration of one year after the passage of this amendatory Act to the effect that the injured person at the time of his discharge or resignation was suffering from injury likely to result in death or dis-

Effect of certificate given on discharge.

ability, such certificate, except in case of fraud, shall be incontestable evidence that the injury for which it is issued was suffered in or aggravated by service, and compensation shall be payable in accordance with the provisions of Article III of the War Risk Insurance Act, as amended, for death or disability whenever occurring, proximately resulting from such injury: *Provided*, That such certificate shall issue only where there is an official record of the injury during service or at the time of separation from active service, or where before March 1, 1924, satisfactory evidence is furnished the bureau to establish that the injury was suffered or aggravated during active service: *Provided*, That where there is official record of injury during service, compensation shall be payable in accordance with the provisions of said Article III for death or disability whenever occurring, proximately resulting from such injury."

SEC. 6. That section 308 of the War Risk Insurance Act is hereby amended to read as follows:

"SEC. 308. That no compensation shall be payable for death inflicted as a lawful punishment for crime or military offense except when inflicted by the enemy. A dismissal or discharge by sentence of court-martial from the service shall bar and terminate all right to any compensation under the provisions of this article for the period of service from which such discharge is given."

SEC. 7. That section 408 of the War Risk Insurance Act is hereby amended to read as follows:

"SEC. 408. In the event that all provisions of the rules and regulations other than the requirements as to the physical condition of the applicant for insurance have been complied with, an application for reinstatement of lapsed or canceled yearly renewable term insurance or application for United States Government life insurance (converted insurance) hereafter made may be approved: *Provided*, That the applicant's disability is the result of an injury or disease, or of an aggravation thereof, suffered or contracted in the active military or naval service during the World War: *Provided further*, That the applicant during his lifetime submits proof satisfactory to the director showing the service origin of the disability or aggravation thereof and that the applicant is not totally and permanently disabled. As a condition, however, to the acceptance of an application for the reinstatement of lapsed or canceled yearly renewable term insurance or United States Government life insurance (converted insurance) the applicant shall be required to pay all the back monthly premiums which would have become payable if such insurance had not lapsed, together with interest at the rate of 5 per centum per annum compounded annually on each premium from the date said premium is due by the terms of the policy: *Provided further*, That where any soldier has heretofore allowed his insurance to lapse, while suffering from wounds or disease suffered or contracted in line of service, and was at the time he allowed his insurance to lapse entitled to compensation on account thereof in a sum equal to or in excess of the amount due from him in premiums on his said insurance, and dies or has died from said wounds or disease, or becomes or has become permanently and totally disabled by reason thereof, without collecting said compensation, and at the time of such death or permanent total disability had or has sufficient uncollected compensation to pay all unpaid premiums, then and in that event said policy shall not be considered as lapsed, and the United States Veterans' Bureau is hereby authorized and directed to pay to the said soldier or his beneficiaries under said policy the amount of said insurance less the premiums and interest thereon at 5 per

Vol. 40, p. 405.

Payment to be made.

*Provision.*  
Official record required for issuing certificate.

If official record exists, time restriction removed.

Vol. 40, p. 407, amended.

Deaths for crimes, etc., excluded.

Court-martial dismissals or discharges.

Reinstated insurance.  
*Note*, p. 158, amended.

Approval of applications without medical examination.

*Provision.*  
Disabled in active World War service.

Proof of origin of disability.

Back premiums, etc., to be paid.

Payment to beneficiary if insurance lapsed while suffering from disability entitling compensation, etc.

To person if permanently disabled.

centum per annum compounded annually in installments as provided by law: *Provided further*, That where any soldier has heretofore allowed his insurance to lapse, while suffering from wounds or disease contracted in line of service, and has applied for reinstatement thereof in whole or in part, and where at the time of such application he was not totally and permanently disabled, and where he was not allowed to reinstate because of health condition other than total permanent disability, and where said soldier has since died from said wounds or disease or has become permanently and totally disabled by reason thereof, then and in that event the United States Veterans' Bureau is hereby authorized and directed to pay to said soldier or his beneficiaries the amount of insurance attempted to be reinstated less the premiums and interest thereon at 5 per centum per annum compounded annually in installments as provided by law: *Provided further*, That the Comptroller General of the United States is hereby authorized and directed to allow credit in the accounts of the disbursing clerk of the United States Veterans' Bureau for all payments of insurance installments hereafter made, without verification of the deduction on the pay rolls, of such premiums as may have accrued prior to January 1, 1921, while the insured was in the service."

Payment if reinstatement refused because of other than total disability, and soldier dies or is permanently disabled.

Credit allowed disbursing clerk for insurance payments made hereafter, etc.

Payment of premiums.

*Ante*, p. 157, amended.

Dates for payments may be waived.

While confined in hospital.  
If temporarily totally disabled.

Mentally incompetent with no guardian.

Made without application, etc.  
*Provisos*.  
Extent of time allowed.

Interest on waived premiums.

Deducted at maturity.

Transfer from insurance fund to meet any lien, etc., against policies of converted insurance.

SEC. 8. That section 409 of the War Risk Insurance Act is hereby amended to read as follows:

"SEC. 409. The United States Veterans' Bureau is authorized to make provision in accordance with regulations, whereby the payment of premiums on yearly renewable term insurance and United States Government life insurance (converted insurance) on the due date thereof may be waived and the insurance may be deemed not to lapse in the cases of the following persons, to wit: (a) Those who are confined in a hospital under said bureau for a compensable disability during the period while they are so confined; (b) those who are rated as temporarily totally disabled by reason of an injury or disease entitling them to compensation during the period of such total disability and while they are so rated; (c) those who, while mentally incompetent and for whom no legal guardian had been or has been appointed; allowed or may allow their insurance to lapse while such rating is effective during the period for which they have been or hereafter may be so rated, the waiver in such cases to be made without application and retroactive where necessary: *Provided*, That such relief from payment of premiums on yearly renewable term insurance on the due date thereof shall be for full calendar months beginning with the month in which said confinement to hospital, temporary total disability rating, or in cases of mental incompetents for whom no guardian has been appointed with the month in which such rating or mental incompetency began or begins, and ending with that month during the half or major fraction of which the person is confined in hospital, is rated as temporarily totally disabled or had or has no legal guardian while rated as mentally incompetent: *Provided further*, That all premiums, the payment of which when due is waived as above provided, shall bear interest at the rate of 5 per centum per annum compounded annually from the due date of each premium, and if not paid by the insured shall be deducted from the insurance in any settlement thereunder or when the same matures either because of permanent total disability or death: *And provided further*, That in the event any lien or other indebtedness established by this Act exists against any policy of converted insurance in excess of the then cash surrender value thereof at the time of the termination of such policy of converted insurance for any reason other than by death or total permanent disability, the director is hereby authorized to transfer

and pay from the military and naval insurance appropriation to the United States Government life insurance fund a sum equal to the amount such lien or indebtedness exceeds the then cash surrender value."

SEC. 9. That section 411 of the War Risk Insurance Act is hereby amended to read as follows:

"SEC. 411. Subject to the provisions of section 29 of the War Risk Insurance Act and amendments thereto policies of insurance heretofore or hereafter issued in accordance with Article IV of the War Risk Insurance Act shall be incontestable after the insurance has been in force six months from the date of issuance, or reinstatement, except for fraud or nonpayment of premiums: *Provided*, That a letter mailed by the United States Veterans' Bureau to the insured at his last known address informing him of the invalidity of his insurance shall be deemed a contest within the meaning of this section: *Provided further*, That this section shall be deemed to be in effect as of April 6, 1917."

SEC. 10. That a new section is hereby added to Article IV of the War Risk Insurance Act (including therein section 18 of the Act entitled "An Act to amend and modify the War Risk Insurance Act," approved December 24, 1919), to be known as section 412, and to read as follows:

"SEC. 412. That all premiums paid on account of insurance converted under the provisions of Article IV of the War Risk Insurance Act shall be deposited and covered into the Treasury to the credit of the United States Government life-insurance fund and shall be available for the payment of losses, dividends, refunds, and other benefits provided for under such insurance. Payments from this fund shall be made upon and in accordance with awards by the director.

"The United States Veterans' Bureau is hereby authorized to set aside out of the fund so collected such reserve funds as may be required, under accepted actuarial principles, to meet all liabilities under such insurance; and the Secretary of the Treasury is hereby authorized to invest and reinvest the said United States Government life-insurance fund, or any part thereof, in interest-bearing obligations of the United States or bonds of the Federal farm loan banks and to sell said obligations of the United States or the bonds of the Federal farm loan banks for the purposes of such fund."

Approved, March 4, 1923.

CEAP. 292.—An Act Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1923, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1924, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1923, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1924, and for other purposes, namely:

LEGISLATIVE.

SENATE.

For additional compensation to John C. Crockett, reading clerk of the Senate, fiscal year 1924, \$500.

Policies. *Ante*, p. 157, amended. Incontestable after six months. Vol. 40, p. 609.

Exceptions. *Provisos*. Mailing deemed notice of contest.

Effective as of April 6, 1917.

New matter. *Ante*, p. 157, amended. Vol. 41, p. 376.

Premium payments to be credited to Government insurance fund.

Payments from.

Reserve funds to be kept.

Investment, etc.

Farm loan securities added.

March 4, 1923. [H. R. 14408.] [Public, No. 543.]

Third Deficiency Act, 1923.

Deficiencies appropriations.

Legislative.

Senate.

John C. Crockett. Pay increase.