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SENATE

{ REPORT
{ No. 1979

MAUDE A. SANGER

FEBRUARY 25 (calendar day) FEBRUARY 26, 1929.—Ordered to be printed

Mr. WALSH of Massachusetts, from the Committee on Finance,
submitted the following

REPORT

[To accompany H. R. 4029]

The Committee on Finance, to whom was referred the bill (H. R. 4029) for the relief of Maude A. Sanger, having had the same under consideration, report it back to the Senate without amendment and recommend that the bill do pass.

The following letter addressed to the Chairman of the Committee on Claims, to whom the bill was originally referred, sets out the facts in the case.

MAY 24, 1928.

HON. ROBERT B. HOWELL,
Chairman Committee on Claims, United States Senate,
Washington, D. C.

MY DEAR SENATOR HOWELL: I have the honor to refer to H. R. 4029, an act for the relief of Maude A. Sanger, which passed the House of Representatives on April 20, 1928, and is now pending before your committee.

In connection with this matter, I deem it not improper to advise the committee that the bill provides for the payment of \$5,000 insurance to Maude A. Sanger, mother of Paul E. Sanger, who died on April 4, 1917, from injuries suffered in the military service of the United States, in the same manner and with the same effect as though the said Paul E. Sanger had made a valid application for war risk insurance in the amount of \$5,000 and had died while such insurance was in effect. Inasmuch as a bill similar in all respects to this, except that the amount named therein was \$10,000, was introduced in the 69th Congress, it is believed that the intention of the author is now to provide for the payment of the same amount of insurance to the mother of the deceased veteran as would have been paid to her under the provisions of section 401 of the war risk insurance act, as amended, if the veteran had died subsequent to April 6, 1917, and within the time limit therein specified without having applied for war risk insurance, under the following provision of section 401 of the war risk insurance act, as amended:

"* * * Any person in the active service on or after the 6th day of April, 1917, and before the 11th day of November, 1918, who, while in such service, and before the expiration of one hundred and twenty days after October 15, 1917, or one hundred and twenty days after entrance into or employment in the active service, becomes or has become totally and permanently disabled, or

dies or has died, without having applied for insurance, shall be deemed to have applied for and to have been granted insurance, payable to such person during his life in monthly installments of \$25 each; * * * If he shall die either before he shall have received any of such monthly installments or before he shall have received two hundred and forty of such monthly installments, then \$25 per month shall be paid to his widow from the time of his death and during her widowhood; or if there is no widow surviving him, then to his child or children; or if there is no child surviving him, then to his mother; or if there be no mother surviving him, then to his father, if and while they survive him. * * *

If Mr. Sanger had died a few days later, that is, after April 6, 1917, his mother would have been entitled to automatic insurance benefits in the amount of \$25 per month. If this bill is enacted Mrs. Sanger will be entitled to receive insurance benefits in the amount of \$28.75 per month.

It is believed that with the information above referred to, the committee will be able to determine for itself the merits of the bill and the propriety of its passage.

A copy of this letter is inclosed for your use.

Very truly yours,

FRANK T. HINES, *Director.*

Following is the House report on the bill:

[House Report No. 977, Seventieth Congress, first session]

The Committee on War Claims, to whom was referred the bill (H. R. 4029) for the relief of Maude A. Sanger, having considered the same, report thereon with a recommendation that it do pass without amendment.

The facts in this case are fully set forth in House Report No. 2242, Sixty-ninth Congress, second session, which is appended hereto and made a part of this report.

[House Report No. 2242, Sixty-ninth Congress, second session]

The Committee on War Claims, to whom was referred the bill (H. R. 13193) entitled a bill for the relief of Maude A. Sanger, having considered the same, report thereon with a recommendation that it do pass with the following amendment:

On page 1, line 10, strike out the figures "\$10,000" and insert in lieu thereof the figures "\$5,000."

STATEMENT OF FACTS

The purpose of this bill is to pay to Maude A. Sanger, the mother of Paul E. Sanger, all such installments of money which she would be entitled to receive if the said Paul E. Sanger, who died on April 4, 1917, from injuries suffered in the military service of the United States, had made a valid application for war-risk insurance in the sum of \$5,000, under the war-risk insurance act, as amended; had named the said Maude A. Sanger as his beneficiary and had died while such insurance was in effect.

Both the Secretary of War and the Director of the United States Veterans' Bureau were requested to make recommendations as to the merits of the proposed legislation, but neither expressed an opinion as to whether the bill should pass, although neither made an adverse report.

The war risk insurance act, as amended, is very clear and provides that officers and enlisted men who were in the Federal service after the declaration of war, April 6, 1917, and who died from injuries received in the service prior to the enactment of the law, shall receive the same benefits as if they had made valid application for insurance to the extent of \$5,000.

The said Paul E. Sanger had been in the State militia but was federalized March 26, 1917. While training in the Federal service the claimant slipped on the armory floor and fell on a bench which caused a severe strain of lumbar muscles. As there were no facilities for giving him medical attention he had no treatment until a few days later when he was admitted to the regimental hospital at Springfield, Mass., on April 1, 1917. Upon being admitted to the hospital it was found that pneumonia, lobar, bilateral, developed, and he was transferred to Heywood Memorial Hospital, Gardner, Mass., where he died of that disease on April 4, 1917.

Your committee held hearings on this bill, and while there is no question as to the law involved, yet as there are a very few cases where patriotic citizens enlisted in the Federal Army a few days before war was declared for the sole purpose of serving in the war and through some unfortunate circumstances died a day or two prior to April 6, 1917, your committee feels that these men should not be penalized and deprived of the benefits of the war risk insurance act by their act of enlisting a few days prior to the declaration of war.

Your committee, therefore, unanimously recommends that the proposed legislation be enacted into law as amended.

The letters from the Secretary of War and the Director of the Veterans' Bureau, referred to above, are appended hereto and made a part of this report.

WAR DEPARTMENT,
Washington, January 13, 1927.

HON. JAMES G. STRONG,
*Chairman Committee on War Claims,
House of Representatives.*

DEAR MR. STRONG: I have your letter of January 8, 1927, in which you ask for information regarding H. R. 13193, being a bill for the relief of Maude A. Sanger, mother of Paul E. Sanger.

The records show that Paul E. Sanger, private, Company E, Second Infantry, Massachusetts National Guard, enlisted in the State service January 1, 1916; that he reported at the company rendezvous June 20, 1916, and was mustered into the Federal service June 25, 1916; and that he was mustered out of the Federal service November 1, 1916, a private, first class.

The records also show that he again reported March 26, 1917, at the rendezvous of Company E, Second Infantry Massachusetts National Guard; was admitted April 1, 1917, to regimental hospital, Springfield, Mass., with severe strain of lumbar muscles caused by slipping on armory floor and falling on a bench; that pneumonia, lobar, bilateral, developed, and he was transferred to Seywood Memorial Hospital, Gardner, Mass., and that he died of that disease April 4, 1917, in line of duty.

Inasmuch as the subject of the pending bill pertains to the Director United States Veterans' Bureau, your letter with its inclosure has been this date transmitted to that official, from whom you will doubtless receive at an early date the desired report.

Sincerely yours,

DWIGHT F. DAVIS, *Secretary of War.*

JANUARY 25, 1927.

HON. JAMES G. STRONG,
*Chairman Committee on War Claims,
House of Representatives, Washington, D. C.*

MY DEAR MR. STRONG: Your letter of January 8, 1927, directed to the Secretary of War, transmitting copy of H. R. 13193, a bill for the relief of Maude A. Sanger, and requesting a report thereon, has been referred to this bureau for reply.

The records of the bureau do not disclose that any application for compensation or insurance has ever been filed by or on behalf of Mr. Paul E. Sanger. It will be noted in letter dated January 13, 1927, addressed to you by the Secretary of War, that Mr. Sanger died on April 4, 1917, which date is prior to the date of the laws administered by the bureau became effective. It is, of course, not possible for the bureau to inform the committee as to the merits of the bill.

A copy of this letter is inclosed for your use.

Very truly yours,

FRANK T. HINES, *Director.*

