

another truss on making application as provided for in section 248 of this title: *Provided*, That such application shall not be made more than once in two years and six months. (R. S. § 1176; May 28, 1872, c. 228, § 1, 17 Stat. 164; Mar. 3, 1879, c. 173, 20 Stat. 353; July 3, 1930, c. 863, § 1, 46 Stat. 1016.)

R. S. § 1176 from Act May 28, 1872, c. 228, § 1, 17 Stat. 164.

By Executive Order No. 5476, Nov. 4, 1930, issued pursuant to the Act of July 3, 1930, cited to the text, the duties imposed upon the War Department by this section were transferred to the Veterans' Administration.

§ 248. Same; application for. Application for truss as mentioned in section 247 of this title shall be made by the ruptured soldier, to an examining surgeon for pensions, whose duty it shall be to examine the applicant, and when found to have a rupture or hernia, to prepare and forward to the Administrator of Veterans' Affairs an application for such truss without charge to the soldier. (R. S. § 1177; July 3, 1930, c. 863, § 1, 46 Stat. 1016.)

R. S. § 1177 from Act May 28, 1872, c. 228, § 2, 17 Stat. 164.

By Executive Order No. 5476, Nov. 4, 1930, issued pursuant to the Act of July 3, 1930, cited to the text, the duties imposed upon the War Department by this section were transferred to the Veterans' Administration.

§ 249. Same; purchase of. The Administrator of Veterans' Affairs is authorized and directed to purchase the trusses required for such soldiers, at wholesale prices, and the cost of the same shall be paid upon the requisition of the Administrator out of any moneys appropriated for the purpose. (R. S. § 1178; May 27, 1908, c. 200, § 1, 35 Stat. 367; July 3, 1930, c. 863, § 1, 46 Stat. 1016.)

R. S. § 1178 from Act May 28, 1872, c. 228, § 3, 17 Stat. 164.

By Executive Order No. 5476, Nov. 4, 1930, issued pursuant to the Act of July 3, 1930, cited to the text, the duties imposed upon the War Department by this section were transferred to the Veterans' Administration.

§ 250. Same; naval service. Sections 248 and 249 of this title shall be construed so as to apply to petty officers, seamen, and marines of the naval service. (May 28, 1872, c. 228, § 1, 17 Stat. 164; Mar. 3, 1879, c. 173, 20 Stat. 353.)

Chapter 6.—CIVIL WAR, WAR WITH MEXICO, WAR OF 1812, AND REVOLUTIONARY WAR; SERVICE AND DISABILITY PENSIONS OF VETERANS; WIDOWS, CHILDREN, DEPENDENT RELATIVES; PENSION TO ARMY NURSES

VETERANS

Sec.

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Sec.

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For temporary reduction of monetary benefits payable to veterans of wars prior to the Spanish-American War and their dependents, see section 719 of this title.

VETERANS

Section 261. Mexican War survivors placed on pension roll; widows. The Administrator of Veterans' Affairs is authorized and directed to place on the pension roll the names of the surviving officers and enlisted men, including marines, militia, and volunteers, of the military and naval services of the United States, who being duly enlisted, actually served sixty days with the Army or Navy of the United States in Mexico, or on the coasts or frontier thereof, or en route thereto, in the war with that nation, or were actually engaged in a battle in said war, and were honorably discharged, and such other officers and soldiers and sailors as may have been personally named in any resolution of Congress for any specific service in said war, and the surviving widow of such officers and enlisted men who have not remarried; *Provided*, That every such officer, enlisted man, or widow who is or may become sixty-two years of age, or who is or may become subject to any disability or dependency equivalent to some cause prescribed or recognized by the pension laws of the United States as a sufficient reason for the allowance of a pension, shall except as otherwise provided for in this title be entitled to the benefits of this section; but it shall not be held to include any person not within the rule of age or disability or dependence herein defined, or who incurred such disability while in any manner voluntarily engaged in or aiding or abetting the late rebellion against the authority of the United States. (Jan. 29,

1887, c. 70, § 1, 24 Stat. 371; July 3, 1930, c. 863, § 2, 46 Stat. 1016.)

See section 262 of this title.

§ 262. Same; pension from and after January 29, 1887. Except as otherwise provided in this title pensions under section 261 of this title shall be at the rate of \$8 per month and payable from and after January 29, 1887, for and during the natural lives of the persons entitled thereto, or during the continuance of the disability for which same shall be granted. Said section 261 of this title shall not apply to any person who was receiving a pension at the rate of \$8 per month or more, nor to any person receiving a pension less than \$8 per month, during the period for which such pension is claimed, except for the difference between the pension received (if less than \$8 per month) and \$8 per month. (Jan. 29, 1887, c. 70, § 2, 24 Stat. 371.)

§ 264. Same; pension from and after April 23, 1900. The Administrator of Veterans' Affairs may increase to \$12 per month from and after April 23, 1900, the pension of all survivors of the Mexican War who are pensionable under Mexican War service pension laws, and who have become or may become wholly disabled for manual labor and in such destitute circumstances that \$8 per month are insufficient to provide them the necessities of life, and for whom no greater pension is otherwise provided by law, irrespective of the date of the granting of the said service pension. (Jan. 5, 1893, c. 18, 27 Stat. 413; Apr. 23, 1900, c. 251, 31 Stat. 137; July 3, 1930, c. 863, § 2, 46 Stat. 1016.)

§ 265. Same; pension from and after March 3, 1903. From and after March 3, 1903, all Mexican War survivors placed on the roll, under section 261 of this title, shall receive, except as otherwise provided for in this title, a pension of \$12 per month. (Mar. 3, 1903, c. 1021, 32 Stat. 1228.)

See sections 267, 268, 270, 271, 273 of this title.

§ 266. Civil War service and disability pension from and after June 27, 1890. Except as otherwise provided in this title, all persons who served ninety days or more in the military or naval service of the United States during the Civil War and who have been honorably discharged therefrom, and who were on June 27, 1890, or who may thereafter be suffering from any mental or physical disability or disabilities of a permanent character, not the result of their own vicious habits, which so incapacitates them from 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 Administrator of Veterans' Affairs may provide, be placed upon the list of invalid pensioners of the United States, and be entitled to receive a pension not exceeding \$12 per month and not less than \$6 per 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 be rated, and such pension shall commence from the date of the filing of the application in the Veterans' Administration, after June 27, 1890, upon proof that the disability or disabilities then existed, and shall continue during the existence of the same. (June 27, 1890, c. 634, § 2, 26 Stat. 182; May 9, 1900, c. 335, 31 Stat. 170; July 3, 1930, c. 863, §§ 1, 2, 46 Stat. 1016.)

See section 268 of this title.

§ 267. Civil War and war with Mexico; pension on account of service and age from and after February 6, 1907. Except as provided hereinafter, any person who served ninety days or more in the military or naval service of the United States during the Civil War or sixty days in the war with Mexico, and who has been honorably discharged therefrom, and who has reached the age of sixty-two years or over, shall, upon making proof of such facts according to such rules and regulations as the Administrator of Veterans' Affairs may provide, be placed upon the pension roll, and be entitled to receive a pension as follows: In case such person has reached the age of sixty-two years, \$12 per month; seventy years, \$15 per month;

seventy-five years or over, \$20 per month; and such pension shall commence from the date of the filing of the application in the Veterans' Administration after February 6, 1907. (Feb. 6, 1907, c. 468, § 1, 34 Stat. 879; July 3, 1930, c. 863, §§ 1, 2, 46 Stat. 1016.)

See sections 268, 270, 271, and 273 of this title.

§ 268. Same; pension from and after May 11, 1912; commencement of pension; automatic increase for age. Except as hereinafter provided any person who served ninety days or more in the military or naval service of the United States during the late Civil War, who has been honorably discharged therefrom, and who has reached the age of sixty-two years or over, shall, upon making proof of such facts, according to such rules and regulations as the Administrator of Veterans' Affairs may provide, be placed upon the pension roll and be entitled to receive a pension as follows: In case such person has reached the age of sixty-two years and served ninety days, \$13 per month; six months, \$13.50 per month; one year, \$14 per month; one and a half years, \$14.50 per month; two years, \$15 per month; two and a half years, \$15.50 per month; three years or over, \$16 per month. In case such person has reached the age of sixty-six years and served ninety days, \$15 per month; six months, \$15.50 per month; one year, \$16 per month; one and a half years, \$16.50 per month; two years, \$17 per month; two and a half years, \$18 per month; three years or over, \$19 per month. In case such person has reached the age of seventy years and served ninety days, \$18 per month; six months, \$19 per month; one year, \$20 per month; one and a half years, \$21.50 per month; two years, \$23 per month; two and a half years, \$24 per month; three years or over, \$25 per month. In case such person has reached the age of seventy-five years and served ninety days, \$21 per month; six months, \$22.50 per month; one year, \$24 per month; one and a half years, \$27 per month; two years or over, \$30 per month. Any person who served in the military or naval service of the United States during the Civil War and received an honorable discharge, and who was wounded in battle or in line of duty and was on May 11, 1912, unfit for manual labor by reason thereof, or who from disease or other causes incurred in line of duty resulting in his disability was unable to perform manual labor, shall be paid the maximum pension under this section, to wit, \$30 per month, without regard to length of service or age.

Except as hereinafter provided, any person who has served sixty days or more in the military or naval service of the United States in the war with Mexico and has been honorably discharged therefrom shall, upon making like proof of such service, be entitled to receive a pension of \$30 per month.

All grants of original pensions under this section shall commence from the date of filing of the applications in the Veterans' Administration after May 11, 1912, and further increase of rate under this section on account of advancing age shall be made without further application by pensioner and shall take effect and commence from the date he is shown to have attained the age provided by this section as a basis of rating: *Provided*, That where a claim has been heretofore adjudicated and the record therein does not sufficiently establish the date of birth of the soldier or sailor pensioner nothing herein shall prevent such further investigation as is deemed necessary in order to establish a record upon which future increases of rate under this section, on account of advancing age, may be possible, the object being to advance automatically the rate of pension, as provided for by this section, without unnecessary expense to the pensioner. (May 11, 1912, c. 123, §§ 1, 5, 37 Stat. 112, 113; Mar. 4, 1913, c. 169, 37 Stat. 1019; July 3, 1930, c. 863, §§ 1, 2, 46 Stat. 1016.)

See sections 270, 271, and 273 of this title.

§ 269. Service pension Civil War; pension from and after June 10, 1918; increase on account of age. Except as otherwise provided in this title, from and after June 10, 1918, the rate of pension for any person who served ninety days or more in the military or naval service of the United States during the Civil War, on the pension roll on that date or thereafter

placed on the pension roll and entitled to receive a less rate than hereinafter provided, shall be \$30 per month. In case such a person has reached the age of seventy-two years and served six months, the rate shall be \$32 per month; one year, \$35 per month; one and a half years, \$38 per month; two years or over, \$40 per month. (May 11, 1912, c. 123, § 6; June 10, 1918, c. 96, 40 Stat. 603.)

§ 270. **Civil War or war with Mexico; pension from and after May 1, 1920.** Every person who served ninety days or more in the Army, Navy, or Marine Corps of the United States during the Civil War, and who has been honorably discharged therefrom, or who, having so served less than ninety days, was discharged for a disability incurred in the service and in the line of duty, or who on May 1, 1920, was upon the pension rolls as a Civil War veteran, and every person who served sixty days or more in the war with Mexico, or on the coasts or frontier thereof, or en route thereto, during the war with that nation, and was honorably discharged therefrom, and who on May 1, 1920, was in receipt of, or entitled to receive, a pension of less than \$50 per month, shall, from and after that date, be entitled to and shall be paid a pension at the rate of \$50 per month. (May 1, 1920, c. 165, § 1, 41 Stat. 585.)

See sections 271 and 273 of this title.

§ 271. **Same; persons helpless or blind; pension from and after May 1, 1920.** Every person who served ninety days or more in the Army, Navy, or Marine Corps of the United States during the Civil War, and who has been honorably discharged therefrom, or who, having so served less than ninety days, was discharged for a disability incurred in the service and in the line of duty, or was on May 1, 1920, upon the pension rolls as a Civil War veteran, and every person who served sixty days or more in the war with Mexico, or on the coasts or frontier thereof, or en route thereto, during the war with that nation, and was honorably discharged therefrom, and who was on May 1, 1920, or thereafter became, by reason of age and physical or mental disabilities, helpless or blind, or so nearly helpless or blind as to require the regular personal aid and attendance of another person, shall be entitled to and shall be paid a pension at the rate of \$72 per month. (May 1, 1920, c. 165, § 2, 41 Stat. 586.)

See sections 273 and 275 of this title.

§ 272. **Civil War pension law construed; limitation.** Sections 266 and 268 of this title shall include all persons and sections 281 and 282 of this title shall include the widows and minor children of all deceased persons, subject to the limitations of said sections, who served for ninety days in the military or naval service of the United States during the Civil War, and who have been honorably discharged therefrom: *Provided, however,* That the foregoing shall not apply to those who served in the First, Second, Third, Fourth, Fifth, and Sixth Regiments United States Volunteer Infantry who had a prior service in the Confederate army or navy and who enlisted in said regiments while confined as prisoners of war under a stipulation that they were not to be pensionable under the laws of the United States, nor to those who, having had such prior service, enlisted in the military or naval service of the United States after the 1st day of January 1865. (July 1, 1902, No. 42, § 1, 32 Stat. 750.)

§ 273. **Civil War or war with Mexico; pension from and after July 3, 1926; persons helpless or blind.** Every person who served ninety days or more in the Army, Navy, or Marine Corps of the United States during the Civil War, and who has been honorably discharged therefrom, or who, having so served less than ninety days, was discharged for a disability incurred in the service and in the line of duty, and every person who served sixty days or more in the war with Mexico, or on the coasts or frontier thereof, or en route thereto, during the war with that nation, and was honorably discharged therefrom, and who is now in receipt of or entitled to receive, under existing law, a pension of less than \$72 per month, shall be

entitled to and shall be paid a pension at the rate of \$65 per month; that in case such person is now or hereafter may become totally helpless or blind shall be entitled to and shall be paid a pension at the rate of \$90 per month. (July 3, 1926, c. 733, § 1, 44 Stat. 806.)

See section 274 of this title.

§ 274. **Civil War service and disability pensions; pension from and after June 9, 1930.** Every person who served ninety days or more in the Army, Navy, or Marine Corps of the United States during the Civil War, and who has been honorably discharged from all contracts of service, or who, having so served less than ninety days was discharged for a disability incurred in the service and in the line of duty, or was on June 9, 1930, on the pension roll as a Civil War veteran, under then existing service pension laws, shall be entitled to and shall be paid a pension at the rate of \$75 per month. (June 9, 1930, c. 420, § 1, 46 Stat. 529.)

§ 275. **Same; persons helpless or blind; pension from and after June 9, 1930.** Every person who served ninety days or more in the Army, Navy, or Marine Corps of the United States during the Civil War and who has been honorably discharged from all contracts of service, or who, having so served less than ninety days, was discharged for a disability incurred in the service and in the line of duty, or was on June 9, 1930, on the pension roll as a Civil War veteran, under then existing service pension laws, and who was on June 9, 1930, or thereafter became, by reason of age or physical or mental disabilities, helpless or blind or so nearly helpless or blind as to require the regular aid and attendance of another person, shall be entitled to and shall be paid a pension at the rate of \$100 per month. (June 9, 1930, c. 420, § 2, 46 Stat. 529.)

WIDOWS, CHILDREN, AND DEPENDENT RELATIVES

§ 281. **Widows of Civil War veterans; children; pension from and after June 27, 1890.** If any officer or enlisted man who served ninety days or more in the Army or Navy of the United States during the late Civil War, and who was honorably discharged, has died, or shall hereafter die, leaving a widow without means of support other than her daily labor, and an actual net income not exceeding \$250 per year, or minor children under the age of sixteen years, such widow shall, except as otherwise provided in this title, upon due proof of her husband's death, without proving his death to be the result of his Army service, be placed on the pension roll from the date of the application therefor under this section, at the rate of \$8 per month during her widowhood, and shall also be paid \$2 per month for each child of such officer or enlisted man under sixteen years of age; and in case of the death or remarriage of the widow, leaving a child or children of such officer or enlisted man under the age of sixteen years, such pension shall be paid such child or children until the age of sixteen: *Provided,* That in case a minor child is insane, idiotic, or otherwise physically or mentally helpless, the pension shall continue during the life of said child, or during the period of such disability; and this proviso shall apply to all pensions heretofore granted or hereafter to be granted under this or any former statute; and such pensions shall commence from the date of application therefor after June 27, 1890: *And provided further,* That said widow shall have married said soldier prior to that date. (June 27, 1890, c. 634, § 3, 26 Stat. 182; May 9, 1900, c. 385, 31 Stat. 171.)

See section 288 of this title.

§ 282. **Same; from and after April 19, 1908; income or dependency immaterial.** If any officer or enlisted man who served ninety days or more in the Army or Navy of the United States during the Civil War and who has been honorably discharged therefrom has died or shall die leaving a widow, such widow shall, upon due proof of her husband's death, without proving his death to be the result of his Army or Navy service, be placed on the pension roll from the

date of the filing of her application therefor under this section at the rate of \$12 per month, except as herein-after provided, during her widowhood: *Provided*, That said widow shall have married said soldier or sailor prior to June 27, 1890. (Apr. 19, 1908, c. 147, § 2, 35 Stat. 64.)

See section 288 of this title.

§ 283. Same; pension extended to widows marrying soldiers or sailors prior to June 27, 1905. Any widow, as described in section 282 of this title, who married the soldier or sailor prior to June 27, 1905, shall have title to pension under the provisions of said section, to commence from the date of filing her application in the Veterans' Administration after September 8, 1916: *Provided, however*, That where a pension has been granted to a soldier's or sailor's helpless or idiotic child or children, or child or children under the age of sixteen years, his widow shall not be entitled to pension under this section, unless the pension to such child or children has terminated, or unless such child or children be a member or members of her family and cared for by her, and upon allowance of pension to the widow, payment of pension to such child or children shall cease. (Sept. 8, 1916, c. 470, § 3, 39 Stat. 845; July 3, 1930, c. 863, § 1, 46 Stat. 1016.)

See section 288 of this title.

§ 284. Widows of veterans of Civil War, war with Mexico, and War of 1812; pension from and after September 8, 1916; agents. From and after September 8, 1916, except as otherwise provided in this title, the rate of pension for a widow, on the roll at that date or thereafter to be placed on the pension roll and entitled to receive a less rate than hereinafter provided, who was the lawful wife of any officer or enlisted man in the Army, Navy, or Marine Corps of the United States, during the period of his service in the Civil War, shall be \$20 per month, and the rate of pension for a widow of an officer or enlisted man of the Army, Navy, or Marine Corps of the United States who served in the Civil War, the war with Mexico, or the War of 1812, on the roll on September 8, 1916, or thereafter to be placed on the pension roll and entitled to receive a less rate than hereafter provided, who has reached or shall hereafter reach the age of seventy years shall be \$20 per month; and nothing herein shall be construed to affect the allowance for each child under the age of sixteen years and for each helpless child. This section shall not be so construed as to reduce any pension under any Act, public or private. No claim agent or attorney shall be recognized in the adjudication of claims under this section. (Sept. 8, 1916, c. 470, §§ 1, 4, 39 Stat. 844, 845.)

See sections 287, 288, and 292 of this title.

§ 285. Remarried widows of Civil War restored to roll on termination of marriage. Except as herein-after provided in this title, any widow of an officer or enlisted man who served in the Army, Navy, or Marine Corps of the United States during the Civil War whose name was placed or shall hereafter be placed on the pension roll, under any existing law, and whose name has been or shall hereafter be dropped from said pension roll by reason of her marriage to another person who has since died or shall hereafter die or from whom she has been heretofore or shall be hereafter divorced upon her own application and without fault on her part, shall be entitled to have her name again placed on the pension roll at the rate allowed by the law under which she was formerly pensioned, and the law or laws amendatory thereof, unless she be entitled to a greater rate of pension under section 284 of this title, such pension to commence from the date of filing her application in the Veterans' Administration after September 8, 1916. Where the pension of said widow on her second or subsequent marriage has accrued to a helpless or idiotic child, or a child or children under the age of sixteen years, she shall not be entitled to renewal under this section unless said helpless or idiotic child, or child or children under sixteen years of age, be then a member or members of her family and cared for by her, and upon the renewal of pension to said widow payment of pension

to said child or children shall cease. The provisions of this section shall be extended to those widows, otherwise entitled, whose husbands died of wounds, injuries, or disease incurred during the period of their military or naval service, but who were deprived of pension under section 191 of this title, because of their failure to draw any pensions by reason of their remarriage, and to any person who was lawfully married to an officer or enlisted man, who served in the Army, Navy, or Marine Corps of the United States during the Civil War and was honorably discharged therefrom and has since deceased, and who, having remarried since his death is again a widow, or has been divorced from her last husband upon her own application without fault on her part and who, otherwise entitled, was barred by reason of such remarriage from receiving pension under any existing law. (Sept. 8, 1916, c. 470, § 2, 39 Stat. 845; July 3, 1930, c. 863, § 1, 46 Stat. 1016.)

§ 286. Same; claim agents or attorneys; limitation of fees under. [Transferred.]

This section has been transferred to section 325a of this title.

§ 287. Minimum rate to widows of officers and enlisted men of Army serving in Civil War; from and after October 6, 1917. From and after October 6, 1917, the rate of pension for a widow of an officer or enlisted man of the Army, Navy, or Marine Corps of the United States who served in the Civil War, on the pension roll at that date or thereafter to be placed on the pension roll and entitled to receive a less rate than hereinafter provided shall be \$25 per month; and nothing herein shall be construed to affect the additional allowance provided on account of a helpless child or child under sixteen years of age. This section shall not be so construed as to reduce any pension under any Act, public or private. The provisions of this section shall be administered, executed, and enforced by the Administrator of Veterans' Affairs. (Sept. 2, 1914, c. 293, § 314; Oct. 6, 1917, c. 105, § 2, 40 Stat. 408; July 3, 1930, c. 863, § 2, 46 Stat. 1016.)

§ 288. Widows and children of veterans of the Civil War; widows of veterans of War of 1812 or war with Mexico; pension from and after May 1, 1920. The widow of any person who served in the Army, Navy, or Marine Corps of the United States during the Civil War for ninety days or more, and was honorably discharged from such service, or regardless of the length of service was discharged for or died in service of a disability incurred in the service and in the line of duty, such widow having been married to such soldier, sailor, or marine prior to the 27th day of June, anno Domini 1905, shall be entitled to and shall be paid, subject to the provisions of section 321 of this title, a pension at the rate of \$30 per month. And this section shall apply to a former widow of any person who served for ninety days or more in the Army, Navy, or Marine Corps of the United States during the Civil War and was honorably discharged from such service, or who, having so served for less than ninety days was discharged for or died in service of a disability incurred in the service and in the line of duty, such widow having remarried, either once or more than once after the death of the soldier, sailor, or marine, if it be shown that such subsequent or successive marriage has, or have been dissolved, either by the death of the husband or husbands, or by divorce without fault on the part of the wife; and any such former widow shall be entitled to and be paid a pension at the rate of \$30 per month; and any widow as mentioned in this section, shall also be paid \$6 per month for each child of such officer or enlisted man under the age of sixteen years, and in case of the death or remarriage of the widow leaving a child or children of such officer or enlisted man under the age of sixteen years, such pension shall be paid such child or children until the age of sixteen years. In case a minor child is insane, idiotic, or otherwise mentally or physically helpless, the pension shall continue during the life of such child, or during the period of such disability, and this shall apply to all pensions heretofore granted or hereafter to be granted. In case of any widow whose name has been

dropped from the pension roll because of her remarriage, if the pension has been granted to an insane, idiotic, or otherwise helpless child, or to a child or children under the age of sixteen years, she shall not be entitled to renewal of pension under this section until that pension to such child or children terminates, unless such child or children be a member or members of her family and cared for by her, and upon the renewal of pension to such widow, payment of pension to such child or children shall cease. The rate of pension for the widow of any person who served in the Army, Navy, or Marine Corps of the United States in the War of 1812, or for sixty days or more in the war with Mexico, on the coasts or frontier thereof, or en route thereto during the war with that nation, and was honorably discharged therefrom, shall be \$30 per month. (May 1, 1920, c. 165, § 4, 41 Stat. 586.)

See sections 291, 291a, 291b, and 292 of this title.

§ 289. Certain battalions of Arkansas and Missouri Volunteers; application of pension law. The names of all of the honorably discharged surviving officers and enlisted men of Gray's Battalion of Arkansas Volunteers and of Powell's Battalion of Missouri Mounted Volunteers, raised under the Act of Congress of May 13, 1846, for service during the war with Mexico, and the names of surviving widows of such officers and enlisted men, shall be carried on the pension roll subject to the limitations and regulations of this chapter for pensioning the survivors of the war with Mexico. (Mar. 3, 1891, c. 568, 26 Stat. 1418; Feb. 17, 1897, c. 248, 29 Stat. 805.)

§ 290. Laws extended to Missouri militia. The provisions of sections 266, 268, 281, and 282 of this title shall include the officers and privates of the Missouri State Militia and the Provisional Missouri Militia who served ninety days during the Civil War, and were honorably discharged, and the widows and minor children of such persons. (Feb. 15, 1895, No. 13, 28 Stat. 970.)

§ 291. Widows and remarried widows of Civil War veterans; pension from and after July 3, 1926. The widow or remarried widow of any person who served in the Army, Navy, or Marine Corps of the United States during the Civil War for ninety days or more and was honorably discharged from such service, or regardless of the length of service was discharged for or died in service of a disability incurred in the service and in the line of duty, such widow or remarried widow having been the wife of such soldier, sailor, or marine during the period of his service in said war, she shall be paid \$50 a month. (July 3, 1926, c. 733, § 2, 44 Stat. 806.)

§ 291a. Same; age of seventy-five; pension from and after May 23, 1928. The widow or former widow of any person who served in the Army, Navy, or Marine Corps of the United States during the Civil War for ninety days or more, and was honorably discharged from all contracts of service, or regardless of the length of service was discharged for disability incurred in service and in the line of duty, such widow or former widow having been married to the soldier, sailor, or marine prior to the 27th day of June 1905, who on May 23, 1928, or thereafter attained the age of 75 years and was pensioned as such widow or former widow under the general pension law, or whose name may, after May 23, 1928, be placed on the pension roll under existing laws, shall be paid a pension at the rate of \$40 a month, but nothing in this section shall be construed as decreasing the rate of pension granted by any other Act. (May 23, 1928, c. 705, § 1, 45 Stat. 714.)

§ 291b. Same; age of seventy; pension from and after June 9, 1930. The widow or remarried widow of any person who served in the Army, Navy, or Marine Corps of the United States during the Civil War for ninety days or more and was honorably discharged from all contracts of service, or, regardless of the length of service, was discharged for or died in service of a disability incurred in the service and in the line of duty, or who prior to June 9, 1930, has

been allowed a pension as a Civil War veteran, under then existing service pension laws, such widow having been married to such Civil War veteran prior to June 27, 1905, who on June 9, 1930, or thereafter attained the age of 70 years, shall be entitled to and shall be paid a pension at the rate of \$40 per month; and nothing herein shall be construed to affect the additional allowance provided by then existing pension laws for a helpless child or child under sixteen years of age: *Provided*, That after June 9, 1930, the service pension laws applicable to Civil War widows shall extend to the former widow of a Civil War veteran, such widow having remarried either once or more than once after the death of the veteran, if it be shown that such subsequent or successive remarriage has been dissolved either by the death of the husband or husbands, or by divorce on any ground except adultery on the part of the wife. (June 9, 1930, c. 420, § 3, 46 Stat. 529.)

§ 292. Widows of veterans of War of 1812 or war with Mexico; pension from and after July 3, 1926. The rate of pension for the widow of any person who served in the Army, Navy, or Marine Corps of the United States in the War of 1812, or for sixty days or more in the war with Mexico, on the coasts or frontier thereof, or en route thereto, during the war with that nation, and was honorably discharged therefrom, shall be \$50 per month. (July 3, 1926, c. 733, § 3, 44 Stat. 806.)

ARMY NURSES AND DEPENDENT PARENTS OF CIVIL WAR VETERANS

§ 311. Army nurses of Civil War. Except as hereinafter provided in this title all women employed by the Surgeon General of the Army as nurses, under contract or otherwise, during the Civil War, or who were employed as nurses during such period by authority which is recognized by the War Department, and who rendered actual service as nurses in attendance upon the sick or wounded in any regimental, post, camp, or general hospital of the Armies of the United States for a period of six months or more, and who were honorably relieved from such service, and who were on August 5, 1892, or may thereafter be unable to earn a support, shall, upon making due proof of the fact according to such rules and regulations as the Administrator of Veterans' Affairs may provide, be placed upon the list of pensioners of the United States and be entitled to receive a pension of \$12 per month, and such pension shall commence from the date of the filing of the application in the Veterans' Administration after said date: *Provided*, That no person shall receive more than one pension for the same period. (Aug. 5, 1892, c. 379, § 1, 27 Stat. 348; July 3, 1930, c. 863, §§ 1, 2, 46 Stat. 1016.)

§ 311a. Same; claim agents; fee not allowed; penalty. No fee, compensation, or allowance shall be paid to, received, or accepted by any agent, attorney, or other person instrumental in the prosecution of any claim for pension under section 311 of this title; and any person who may make any claim upon any applicant for any fee, compensation, or allowance shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding five hundred dollars or imprisoned at hard labor not exceeding one year, or both, in the discretion of the court; and it shall be the duty of the Veterans' Administration and the War Department to render all proper aid to applicants under section 311 of this title. (Aug. 5, 1892, c. 379, § 2, 27 Stat. 349; July 3, 1930, c. 863, § 2, 46 Stat. 1016.)

§ 312. Same; pension from and after May 1, 1920. All Army nurses of the Civil War whose names were on the pension roll on May 1, 1920, or who were entitled to pension under any then existing law, shall be entitled to and shall be paid a pension at the rate of \$30 per month. (May 1, 1920, c. 165, § 5, 41 Stat. 587.)

§ 313. Same; pension from and after July 3, 1926. All Army nurses of the Civil War whose names were on July 3, 1926, on the pension roll, or who were on

that date entitled to pension under then existing law, shall be entitled to and shall be paid a pension at the rate of \$50 per month. (July 3, 1926, c. 733, § 4, 44 Stat. 806.)

§ 314. **Dependent parents of Civil War veterans.** All dependent parents of any officer or enlisted man who served in the Civil War whose names were on the pension roll on May 1, 1920, or who were entitled to pension under any then existing law, shall be entitled to and shall be paid a pension at the rate of \$30 per month. (May 1, 1920, c. 165, § 5, 41 Stat. 587.)

MISCELLANEOUS PROVISIONS; COMMENCEMENT OF PENSION

§ 321. **Time of commencement of pensions; Act of May 1, 1920.** The increase of pension provided for under sections 168 and 271 of this title shall commence at the rate therein provided when the requisite condition is shown to exist after May 1, 1920, and as to persons whose names were not on the pension roll on that date, or who were not then in receipt of a pension but who may be entitled to pension under the provisions of section 270, 271, 288, 312, or 314 of this title, such pensions shall commence from the date of filing application therefor in the former Veterans' Bureau in such form as may be prescribed by the Administrator of Veterans' Affairs: *Provided*, That as to any former widow as mentioned in section 288 of this title, who since the death of her soldier, sailor, or marine husband has remarried either once or more than once, and such subsequent or successive marriage has been dissolved, either by the death of the husband or husbands, or by divorce without fault, on the part of the wife, and who filed her application for pension under sections 283 to 285 of this title, her pension shall commence from the date when her original application was filed in the former Veterans' Bureau, and shall be at the rate in such sections provided, with increase at the rate or rates subsequently provided for the widows of Civil War soldiers, sailors, and marines, and by section 288 of this title from the date or dates when any such subsequent Act or Acts took effect or may hereafter take effect, it being the intent and purpose to give to any such widow the same status as other widows of Civil War soldiers, sailors, and marines who have not remarried, and from September 8, 1916. (May 1, 1920, c. 165, § 6, 41 Stat. 587; July 3, 1930, c. 863, §§ 1, 2, 46 Stat. 1016.)

§ 321a. **Same; Act of July 3, 1926; inmate of Soldiers' Home not entitled.** The pension or increase in the rate of pension provided for by sections 273, 291, 292, and 313 of this title, as to all persons whose names were on July 3, 1926, on the pension roll, or who were on July 3, 1926, in receipt of a pension under then existing law, shall commence at the rates therein provided on August 4, 1926; and as to persons whose names were not on July 3, 1926, on the pension roll, or who were not on July 3, 1926, in receipt of a pension under then existing law, but who may be entitled to a pension under sections 273, 291, 292, and 313 of this title, such pensions shall commence from the date of filing application therefor in the Veterans' Administration after July 3, 1926, in such form as may be prescribed by the Administrator of Veterans' Affairs: *Provided*, That no one while an inmate of the United States Soldiers' Home, or of any National or State soldiers' home shall be entitled to, or be paid the increased rates provided in sections 273, 291, 292, and 313 of this title; 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. (July 3, 1926, c. 733, § 5, 44 Stat. 807; July 3, 1930, c. 863, §§ 1, 2, 46 Stat. 1016.)

§ 321b. **Same; Act of May 23, 1928; pension check as asset of estate of deceased pensioner.** The pen-

sion or increase of the rate of pension provided for in section 291a of this title, as to all persons whose names were on the pension roll May 23, 1928, or who were then in receipt of a pension under then existing law, shall commence at the rate provided in the said section, on the fourth day of June 1928; and as to persons whose names were not on that date on the pension roll, or who were not then in receipt of a pension under then existing law but who may be entitled to a pension under the general pension laws, such pensions shall commence from the date of filing application therefor in the Veterans' Administration after May 23, 1928, in such form as may be prescribed by the Administrator of Veterans' Affairs: *Provided*, That 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. (May 23, 1928, c. 705, § 2, 45 Stat. 715; July 3, 1930, c. 863, §§ 1, 2, 46 Stat. 1016.)

§ 321c. **Same; Act of June 9, 1930.** The increase of pension provided by sections 274, 275, and 291b of this title shall be effective from and after July 4, 1930, and, as to those then in receipt of pension and shown to be entitled to such increase, shall commence from such date; and, as to those not then entitled, the increase shall commence from the date when the requisite condition is shown: *Provided*, That as to those not now in receipt of pension and who may be entitled to pension under sections 274, 275, and 291b of this title, such pension shall commence from the date of filing application therefor in the Veterans' Administration, on and after June 9, 1930, in such form as may be prescribed by the Administrator of Veterans' Affairs: *Provided further*, That the pension paid under sections 274, 275, and 291b of this title to any Civil War veteran for any period during which he was actually residing in the United States Soldiers' Home or in any National or State Soldiers' Home shall be reduced at the rate of \$25 per month. (June 9, 1930, c. 420, § 5, 46 Stat. 529; July 3, 1930, c. 863, §§ 1, 2, 46 Stat. 1016.)

§ 322. **Honorable discharge from last contract of service during Civil War; effect on right to pension.** In the administration of the pension laws any enlisted man or commissioned officer of the Army including regulars, volunteers, and militia, or any appointed or enlisted man or commissioned officer of the Navy or Marine Corps, who was honorably discharged from any subsequent contract of service entered into by him during the Civil War, shall be held and considered to have been honorably discharged from all previous contracts of service as commissioned officer or enlisted man previously entered into by him with the United States during said war, where such enlisted or appointed man or commissioned officer served at least six months under any subsequent enlistment, appointment, or commission; and his entire service under any said subsequent enlistment, appointment, or commission was faithful, and he did not receive by reason of said enlistment, appointment, or commission any bounty or gratuity other than from the United States in excess of that to which he would have been entitled if he had continued to serve faithfully until honorably discharged under any contract of service previously entered into by him, either in the Army, Navy, or Marine Corps, during the said Civil War. (July 1, 1902, No. 42, § 2, 32 Stat. 750; June 28, 1906, No. 39, 34 Stat. 836.)

§ 323. **Time of commencement of pensions; application after rejection of claim under Act of June 27, 1890.** Whenever a claim for pension under sections 203, 266, or 281 of this title has been rejected, suspended, or dismissed, and a new application filed, and a pension allowed in such claim, such pension shall date from the time of filing the first application, provided the evidence in the case shall show a pensionable disability to have existed, or to exist, at the time of filing such first application, anything in any law or ruling of the department to the contrary notwithstanding. (Mar. 6, 1896, c. 46, 29 Stat. 45.)

§ 324. Agents and attorneys; compensation for prosecuting claims under act of June 27, 1890; withholding pension; penalty. No agent, attorney, or other person engaged in preparing, presenting, or prosecuting any claim under the provisions of sections 203, 266, or 281 of this title shall, directly or indirectly, contract for, demand, receive, or retain for such services in preparing, presenting, or prosecuting such claim a sum greater than \$10, which sum shall be payable only upon the order of the Administrator of Veterans' Affairs, and any person who shall violate any of the provisions of this section, or who shall wrongfully withhold from a pensioner or claimant the whole or any part of a pension or claim allowed or due such pensioner or claimant under section 203, 266, or 281 of this title, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall, for each and every such offense, be fined not exceeding \$500, or be imprisoned at hard labor not exceeding two years, or both, in the discretion of the court. (June 27, 1890, c. 634, § 4, 26 Stat. 183; July 3, 1930, c. 863, § 2, 46 Stat. 1016.)

§ 324a. Same; compensation for prosecuting claims under Act of April 19, 1908; withholding pension; penalty. No agent, attorney, or other person engaged in preparing, presenting, or prosecuting any claim under the provisions of section 282 of this title shall, directly or indirectly, contract for, demand, receive, or retain for such services in preparing, presenting, or prosecuting such claim a sum greater than \$10, which sum shall be payable only upon the order of the Administrator of Veterans' Affairs by the pension agent making payment of the pension allowed; and any person who shall violate any of the provisions of this section or who shall wrongfully withhold from the pensioner or claimant the whole or any part of a pension or claim allowed or due such pensioner or claimant under sections 197 and 282 of this title shall be deemed guilty of a misdemeanor, and upon conviction thereof shall, for each and every such offense, be fined not exceeding \$500 or be imprisoned at hard labor not exceeding two years, or both, in the discretion of the court. (Apr. 19, 1908, c. 147, § 3, 35 Stat. 64; July 3, 1930, c. 863, § 2, 46 Stat. 1016.)

§ 325. Same; compensation for prosecuting claims under Act of May 11, 1912. No pension attorney, claim agent, or other person shall be entitled to receive any compensation for services rendered in presenting any claim to the Veterans' Administration, or securing any pension, under sections 268 or 269 of this title, except in applications for original pension by persons who have not heretofore received a pension. (May 11, 1912, c. 123, §§ 3, 6, 37 Stat. 113; June 10, 1918, c. 96, 40 Stat. 603; July 3, 1930, c. 863, § 1, 46 Stat. 1016.)

§ 325a. Same; compensation for prosecuting claims under Act of September 6, 1916. No claim agent or attorney shall be recognized in the adjudication of claims under section 285 of this title for renewal of pension previously allowed, and in claims for original pension under said section no greater sum than \$10 shall be allowed for services in preparing, presenting, or prosecuting such claim, which sum shall be payable only upon the order of the Administrator of Veterans' Affairs under such rules and regulations as he may deem proper to make. (Sept. 8, 1916, c. 470, § 4, 39 Stat. 845; July 3, 1930, c. 863, § 2, 46 Stat. 1016.)

§ 326. Same; compensation for prosecuting claims under Act of May 1, 1920; recognition of; penalty. No claim agent or attorney or other person shall be recognized in the adjustment of claims under section 168, insofar as it relates to Civil War veterans, and sections 270, 271, 288, 312, and 321 of this title, except in claims for original pension, and in such cases no more than the sum of \$10 shall be allowed for services in preparing, presenting, or prosecuting any such claim, which sum shall be payable only on the order of the Administrator of Veterans' Affairs; and any person who shall violate any of the provisions of this section, or shall wrongfully withhold from the pensioner or claimant the whole or any part of a

pension allowed or due to such pensioner or claimant under said sections, 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. (May 1, 1920, c. 165, § 8, 41 Stat. 588; July 3, 1930, c. 863, § 2, 46 Stat. 1016.)

§ 326a. Same; compensation for prosecuting claims under Act of July 3, 1926; penalty. 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 the increase of pension provided for in sections 273, 291, 292, and 313 of this title; and no more than the sum of \$10 shall be allowed for such services in other claims thereunder, which sum shall be payable only on the order of the Administrator of Veterans' Affairs; and any person who shall directly or indirectly otherwise contract for, demand, receive, or retain a fee for services in preparing, presenting, or prosecuting any claim under said sections, 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 said sections shall be deemed guilty of a misdemeanor, and upon conviction thereof shall for each and every such offense be fined not exceeding \$500 or be imprisoned not exceeding one year, or both, in the discretion of the court. (July 3, 1926, c. 733, § 6, 44 Stat. 807; July 3, 1930, c. 863, § 2, 46 Stat. 1016.)

§ 326h. Same; compensation for prosecuting claims under Act of May 23, 1928; withholding pension; penalty. No claim agent, attorney, or other person shall demand, receive, or accept fees or compensation for the presentation or preparation of any such claim for increase in pension under section 291a of this title, or be recognized as agent or attorney in the prosecution or adjudication of a claim for increase under section 291a of this title, and any such person who shall violate any of the provisions of this section, or wrongfully withholds from a pensioner the whole or any part of the pension allowed or due a pensioner under section 291a of this title, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall, for each and every offense, be fined not to exceed \$500 or imprisonment not to exceed one year, or both, in the discretion of the court. (May 23, 1928, c. 705, § 3, 45 Stat. 715.)

§ 326c. Same; compensation for prosecuting claims under Act of June 9, 1930; withholding moneys; penalty. No claim agent or attorney or other person shall be recognized in the adjustment of claims under sections 274, 275, and 291b of this title except in claims for original pension, and in such cases no more than the sum of \$10 shall be allowed for service in preparing, presenting, or prosecuting any such claim, which sum shall be payable only on the order of the Administrator of Veterans' Affairs; and any person who shall violate any of the provisions of this section, or shall wrongfully withhold from the pensioner or claimant under sections 274, 275, and 291b of this title, 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. (June 9, 1930, c. 420, § 6, 46 Stat. 530; July 3, 1930, c. 863, § 2, 46 Stat. 1016.)

§ 327. Pensions to Army and Navy Medal Roll not diminished. Nothing in section 168, insofar as it relates to Civil War veterans, and sections 270, 271, 288, 312, and 321 of this title contained 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 in sections 391 to 393 of this title, but any increase herein provided for shall be in addition thereto; and no pension granted prior to May 1, 1920, under any Act, public or private, shall be reduced by anything contained in said sections 270, 271, 288, 312, 314, and 321 of this title. (May 1, 1920, c. 165, § 7, 41 Stat. 587.)

§ 328. Rank not considered. Rank in the service shall not be considered in applications filed under the

provisions of this chapter. (June 27, 1890, c. 634, § 2, 26 Stat. 182; May 9, 1900, c. 385, 31 Stat. 170; Feb. 6, 1907, c. 468, § 2, 34 Stat. 879; May 11, 1912, c. 123, § 2, 37 Stat. 113.)

§ 329. **Certain claims for Revolutionary pensions prohibited.** No claim for a pension, or for an increase of pension, shall be allowed in favor of the children or other descendants of any person who served in the War of the Revolution, or of the widow of such person, when such person or his widow died without having established a claim to a pension. (R. S. § 4742.)
From Act Apr. 2, 1862, c. 53, 12 Stat. 376.

§ 330. **Extent of modification by Act of May 23, 1928, of earlier acts.** All Acts and parts of Acts in conflict with or inconsistent with the provisions of sections 291a, 321b, and 326b of this title are hereby modified and amended only so far and to the extent therein specifically provided and stated. (May 23, 1928, c. 705, § 4, 45 Stat. 715.)

§ 331. **Extent of modification by Act of July 3, 1926, of earlier acts.** All Acts and parts of Acts in conflict with or inconsistent with the provisions of sections 273, 291, 292, 313, 321a, and 326a of this title are hereby modified and amended only so far and to the extent as therein specifically provided and stated: *Provided*, That the provisions of said sections shall in no way, manner, or substance modify, limit, or impair the soldier, sailor, or marine's right and title to the rate of \$72 provided in section 271 of this title. (July 3, 1926, c. 733, § 7, 44 Stat. 807.)

§ 332. **Extent of modification by Act of June 9, 1930, of earlier acts.** All Acts and parts of Acts in conflict with or inconsistent with the provisions of sections 33, 274, 275, 291b, 321c, and 326c of this title are hereby modified and amended only so far and to the extent therein specifically provided and stated. (June 9, 1930, c. 420, § 7, 46 Stat. 530.)

Chapter 7.—WAR WITH SPAIN, PHILIPPINE INSURRECTION, AND CHINESE BOXER REBELLION; VETERANS, WOMEN NURSES, AND DEPENDENTS

GENERALLY

- Sec.
351. Pensions to persons serving in military or naval service during war with Spain, Philippine insurrection, and China relief expedition; amount; commencement and duration.
352. Same; disability pensions coupled with age; amounts.
353. Same; persons receiving pensions.
354. Loss of both hands, both feet, or total disability of same; pension from and after September 1, 1922.
355. Widows and children of officers and enlisted men serving in war with Spain, Chinese Boxer rebellion, or Philippine insurrection; pension from and after July 16, 1918.
356. Same; pension from and after September 1, 1922.
357. Widows of officers or enlisted men serving in war with Spain or the Philippine insurrection; pension from and after October 6, 1917.
358. Contract nurses of war with Spain; dependent parents of officers or enlisted men serving in war with Spain, Chinese Boxer rebellion, or Philippine insurrection.
359. Commencement of pension to specified persons.
360. Determining period of pensionable service; furlough under certain General Orders.
361. Claim agents or attorneys; compensation for prosecuting claims under Act of June 5, 1920; punishment.
362. Rank in service not considered.
363. Claim agents or attorneys; compensation for prosecuting claims under Acts of July 16, 1918, and September 1, 1922; withholding pension; punishment.

PENSIONS AND INCREASES TO VETERANS, WIDOWS, CHILDREN, AND NURSES AS OF MAY 1, 1926

364. Veterans; nurses; pension from and after May 1, 1926.
- 364a. Widows and children; pension from and after May 1, 1926.
- 364b. Persons helpless or blind; inmate of Soldiers' Home.
- 364c. Time of commencement of pensions; Act of May 1, 1926; check to pensioner dying on or before last day of period.
- 364d. Army and Navy Medal of Honor Roll not affected; effect on pensions previously granted.
- 364e. Fees of attorneys for prosecuting claims under Act of May 1, 1926; withholding pension; penalty.
- 364f. Extent of modification by Act of May 1, 1926, of earlier Acts.

PENSIONS AND INCREASES TO VETERANS AND NURSES AS OF JUNE 2, 1930

- Sec.
365. Disabled veterans and nurses; authorization; period of service; rate; age.
- 365a. Helpless and blind veterans and nurses; rate when attendant required; inmate of Soldiers' Home.
- 365b. Pensions for service of seventy days or more; rate.
- 365c. Helpless and blind veterans and nurses serving seventy days or more; rate when attendant required; inmate of Soldiers' Home.
- 365d. Time of commencement of pensions; Act of June 2, 1930; check as payment in event of death of pensioner.
- 365e. Army and Navy Medal of Honor Roll not affected; effect on pensions previously granted.
- 365f. Fees of attorneys for prosecuting claims under Act of June 2, 1930; withholding pension; penalty.
- 365g. Effect of sections 365 to 365h on pensions granted prior to June 2, 1930.
- 365h. Extent of modification by Act of June 2, 1930, of earlier Acts.

PENSIONS AS OF MARCH 28, 1934

366. Pensions to veterans; widows; dependents; reductions limited; exceptions.
367. Same; re-enactment of laws granting monetary benefits in effect on March 19, 1933.

All public laws in effect on March 19, 1933, granting medical or hospital treatment, domiciliary care, pensions, disability allowances, or retirement pay to veterans and the dependents of veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection, were repealed by Act March 20, 1933 (see sections 717 and 718 of this title). This act authorized the President within certain limits to fix the rates of pensions and prescribe rules and regulations for the administration of the pension system (see sections 701 to 721 of this title and Executive Orders issued pursuant thereto). By Act June 16, 1933, certain limitations were imposed upon the repeal (see section 722 of this title). For the reenactment with limitations of all laws in effect on March 19, 1933, granting monetary benefits to veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection, by Act March 28, 1934, see sections 366 and 367 of this title.

GENERALLY

Section 351. Pensions to persons serving in military or naval service during war with Spain, Philippine insurrection, and China relief expedition; amount; commencement and duration. 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, and the China relief expedition, and who have been honorably discharged therefrom, and who were, on June 5, 1920, or may thereafter be suffering from any mental or physical disability or disabilities of a permanent character, not the result of their own vicious habits, which so incapacitates them from 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 Administrator of Veterans' Affairs may provide, be placed upon the list of invalid pensioners of the United States, and be entitled to receive a pension not exceeding \$30 per month and not less than \$12 per 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 be rated, and such pension shall commence from the date of the filing of the application in the Veterans' Administration, after June 5, 1920, upon proof that the disability or disabilities then existed, and shall continue during the existence of the same. (June 5, 1920, c. 245, § 1, 41 Stat. 982; July 3, 1930, c. 863, §§ 1, 2, 46 Stat. 1016.)
See sections 362 and 365a of this title.

§ 352. Same; disability pensions coupled with age; amounts. Any person mentioned in section 351 of this title 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 per month. In case such person has reached the age of sixty-eight years, \$18 per month; in case such person has reached the age of seventy-two years, \$24 per month; and in case such person has reached the age of seventy-five years, \$30 per month. (June 5, 1920, c. 245, § 1, 41 Stat. 982.)
See sections 362 and 365a of this title.

§ 353. Same; persons receiving pensions. Persons who were receiving pensions under laws existing on